First Session, 1945—No. 1

Official Report

engal Legislative Council Debates

Saturday, 17th February, 1945

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BENGAL LEGISLATIVE COUNCIL.

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

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(2) The Hon'ble Mr. HUSEYN SHAHEED SUHRAWARDY, in charge of the Civil Supplies Department.

(3) The Hon'ble Mr. TULSI CHANDRA GOSWAMI, in charge of the Finance Department.

(4) The Hon'ble Mr. TAMIZUDDIN KHAN, in charge of the Education Department.

(5) The Hon'ble Mr. BARADA PROSANNA PAIN, in charge of the Communications and Works Department.

(6) The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN, in charge of the Agriculture Department (including Rural Reconstruction).

(7) The Hon'ble Mr. TARAKNATH MUKERJEA, M.B.E., in charge of the Revenue Department (including Evacuation and Relief).

(8) The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur, in charge of the Judicial and Legislative Departments.

(9) The Hon'ble Mr. Khwaja SHAHABUDDIN, C.B.E., in charge of the Commerce, Labour and Industries Department (including Post-war Reconstruction).

(10) The Hon'ble Mr. PREMHARI BARMA, in charge of the Forests and Excise Department.

(11) The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD, in charge of the Public Health and Local Self-Government Department.

(12) The Hon'ble Mr. PULIN BEHARY MULLICK, in charge of the Publicity Department.

(13) The Hon'ble Mr. JOGENDRA NATH MANDAL, in charge of the Co-operative Credit and Rural Indebtedness Department.

BENGAL LEGISLATIVE COUNCIL

ALPHABETICAL LIST OF MEMBERS.

A

1. Ahmad, Khan Bahadur Naziruddin. [Burdwan Division Muhammadan (Rural).]
2. Ahmed, Khan Sahib Fariduddin. [Tippera Muhammadan (Rural).]
3. Ahmed, Mr. Mesbahuddin. [Bengal Legislative Assembly.]
4. Ahmed, Mr. Nur. [Chittagong Muhammadan (Rural).]
5. Ahmed, Mr. Sultanuddin. [Dacca North-West Muhammadan Rural).]
6. Amin, Khan Bahadur Nurul. [Mymensingh East Muhammadan (Rural).]

B

7. Baksh, Mr. Kader. [Bengal Legislative Assembly.]
8. Banerjee, Rai Bahadur Keshab Chandra. [Dacca Division North General (Rural).]
9. Barua, Mr. Dhirendra Lal. [Chosen by the Governor.]
10. Bhuiya, Mr. Reajuddin. [Dacca South-East Muhammadan (Rural).]

C

11. Chakraverti, Mr. Srish Chandra. [Calcutta General (Urban).]
12. Chaudhury, Mr. Moazzemali *alias* Lal Mia. [Faridpur Muhammadan (Rural).]
13. Chowdhury, Khan Bahadur Abdul Hamid, J.P. [Mymensingh West Muhammadan (Rural).]
14. Chowdhury, Mr. Khorshed Alam. [Bakarganj Muhammadan (Rural).]
15. Chowdhury, Mr. Hamidul Huq. [Bengal Legislative Assembly.]
16. Chowdhury, Mr. Humayun Reza. [Rajshahi *cum* Malda Muhammadan (Rural).]
17. Clarke, Mr. C. E. [Bengal Legislative Assembly.]
18. Cohen, Mr. D. J. [Chosen by the Governor.]

D

19. Das, Mr. Lalit Chandra. [Chittagong Division General (Rural).]
20. Datta, Mr. Bankim Chandra. [Bengal Legislative Assembly.]
21. Datta, Mr. Narendra Chandra. [Bengal Legislative Assembly.]
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23. Dutt, Mrs. Labanyaprobha. [Chosen by the Governor.]
24. Dutta, Mr. Kamini Kumar. [Bengal Legislative Assembly.]

F

25. Ferguson, Mr. R. W. N. [Bengal Legislative Assembly.]

G

26. Gofran, Khan Bahadur Abdul. [Noakhali Muhammadan (Rural).]
27. Graham, Mr. J. S. [European.]

H

28. Hosain, The Hon'ble Khan Bahadur Saiyed Muazzamuddin. [Bengal Legislative Assembly.]
29. Hossain, Mr. Latafat. [Chosen by the Governor.]
30. Hossain, Mr. Mohamed. [Bengal Legislative Assembly.]

J

31. Jaipuria, Mr. Mungturam. [Bengal Legislative Assembly.]
32. Jan, Alhadj Khan Bahadur Shaikh Muhammad. [Bengal Legislative Assembly.]

K

33. Kabir, Mr. Humayun Z. A. [Bengal Legislative Assembly.]
34. Khan, Maulana Muhammad Akrum. [Bengal Legislative Assembly.]

L

35. Laidlaw, Mr. W. B. G. [European.]
36. Latiff, Mr. Abdul. [Rangpur Muhammadan (Rural).]

M

37. Maitra, Rai Bahadur Brojendra Mohan. [Rajshahi Division South-East General (Rural).]
38. Molla, Khan Sahib Subidali. [Bengal Legislative Assembly.]
39. Momin, Khan Bahadur, M. A., C.I.E. [Presidency Division North Muhammadan (Rural).]
40. Mookerjee, Mr. Naresh Nath. [Bengal Legislative Assembly.]
41. Mukherji, Mr. Bankim Chandra. [Burdwan Division South-West General (Rural).]
42. Mazumdar, Mr. Haridas. [Bengal Legislative Assembly.]
43 Moholanabish, Mr. Nagendra Nath. [Rajshahi Division North-West General (Rural).]

O

44. Orr, Mr. James. [European.]

P

45. Pal Chaudhuri, Mr. Ranajit. [Presidency Division General (Rural).]
46. Purssell, Mr. R. S., C.I.E., O.B.E. [Bengal Legislative Assembly.]

R

47. Rahman, Khan Bahadur Mukhlesur. [Rajshahi Division North Muhammadan (Rural).]
48. Ray, Rai Sahib Jogendra Nath. [Burdwan Division North-East General (Rural).]
49. Ray, Dr. Kumud Sankar. [Dacca Division South General (Rural).]
50. Roy, Mr. Amulyadhone. [Bengal Legislative Assembly.]
51. Roy, Rai Bahadur Radhica Bhusan. [Bengal Legislative Assembly.]
52. Roy, Mr. Biren. [Calcutta Suburbs General (Urban).]
53. Roy Chowdhury, Mr. Krishna Chandra. [Chosen by the Governor.]
54. Roy Chowdhury, Mr. Birendra Kishore. [Bengal Legislative Assembly.]

S

55. Sanyal, Mr. Sachindra Narayan. [Bengal Legislative Assembly.]
56. Sattar, Mr. Yakub H. S. [Calcutta and Suburbs Muhammadan (Urban).]
57. Shamsuzzoha, Khan Bahadur M. [Bengal Legislative Assembly.]
58. *Singh Roy, the Hon'ble Sir Bijoy Prasad. [Bengal Legislative Assembly.]

T

59. Talukdar, Dr. Kasiruddin. [Bogra *cum* Pabna Muhammadan (Rural).]

W

60. Wahiduzzaman, Khan Sahib Maulvi. [Bengal Legislative Assembly.]

*President of the Bengal Legislative Council.

N.B.—Three seats were vacant at the commencement of the session.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 1.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Saturday, the 17th February, 1945, at 11 a.m., being the first day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the chair.

Mr. DEPUTY PRESIDENT: Order, order. In view of the absence of the Honourable President very likely for the major part of this Session, the duty of presiding over the deliberations of this House has devolved upon me. I take this opportunity of extending my hearty welcome to you all. I do hope that I shall receive your full co-operation in conducting the business of the House and in maintaining order and discipline.

War Situation.

Honourable members of the Council, since we dispersed in October last, several important developments which have taken place in regard to the war situation on all fronts have brought victory for the United Nations not only within sight but also within their grasp as it were. The unity and co-ordination achieved by the Big Three among the Allies in evolving military strategy and the weight of vast equipments and ammunitions mobilised in the execution of those plans have rudely shaken up the German military machine. The myth about the inviolability of the Germanic Fatherland which hitherto inspired the German rank and file in carrying on the war with a Crusader's zeal has already been shattered. The crack in the *morale* of the people of Germany is already in evidence.

On the South-East Asiatic Front, too, the situation is no less encouraging and hopeful for the Allies. Nearer home, the North-Eastern Frontier of India has been cleared of the Japs. Akyab is once again under British possession; Manipur area has been swept clean of Jap intruders; the Stillwell Road which was opened recently has been serving as the direct land-route between India and China for transporting vast quantities of war materials. All these have facilitated a rapid advance in the direction of the re-conquest of Burma.

On the Far-Eastern Front, General McArthur has driven the Japs from Manila and also freed the major part of the Phillipine islands. Tokyo is being frequently pounded by American superfortresses, thereby enabling the Japs to have a foretaste of things to come at a not very distant future.

With the war situation gradually liquidating in a manner favourable to them, the Allied Powers have started seriously considering various plans for establishing a sound and stable peace all over the world on the basis of the principles envisaged in the Atlantic Charter. India has contributed handsomely in men and money towards successful prosecution of the war and her share of sufferings and sacrifices incidental to the war have not been lesser than those of most of the units constituting the United Nations group. Therefore, she naturally expects that the gallant part played by her nationals in the war would receive due recognition at the hands of the victorious Allies and all her hopes and aspirations shall find fulfilment at no distant date. Let us hope that unending prosperity is the destiny of our great Motherland!

Obituary References.

Ladies and gentlemen, before taking up the Order Paper for to-day, the Chair deems it to be its melancholy duty to make a brief reference to the demise of two illustrious personages of international eminence: I mean M. Romain Rolland and Sir Arthur Eddington.

(i) Romain Rolland.

Though a Frenchman by birth, Romain Rolland was above race and colour. "There is neither East nor West for the naked soul. The whole world is its home" said M. Romain Rolland. He imbibed the tenets of pacifism and the permanent fraternity of man from Tolstoy whom he accepted as his spiritual guide. As a man of literature, Romain Rolland's position is no doubt undisputed and universal. But he was far more eminent as a humanist and an Internationalist.

A self-exile in Geneva since 1914, Romain Rolland looked with intense pain at Europe, mad with blood-thirst and burning incense at the altar of force. He viewed with apprehension the crumbling edifice of European civilisation and warned the people of the world that the restrictive barriers of narrow nationalism must be shattered if a permanent security is to be built. But this preaching of the gospel of Internationalism on his part was misconstrued by the war-mongers of Europe and he had eventually to pay the price for his idealism by spending the last few years of his life in a Nazi concentration camp. The fact that a high-souled man like Romain Rolland, who came to be regarded universally as the greatest force for the moral regeneration of the world, should pass away in a concentration camp furnished an eloquent commentary on the inglorious record of the Nazis about trampling under feet the highest ideals of man, namely, Liberty, Equality and Peace.

We, Indians, have got special reasons to mourn the loss of this great savant. Romain Rolland was one of those few Westerners who understood and admired Indian culture and interpreted it to the rest of the world. His faith in the undying soul of India and his spiritual kinship with Rabindranath and other intellectual giants of India are too well-known to require mention.

In his characteristic way Romain Rolland dedicated his study of Gandhiji "to the land of glory and servility—to the land of impermanent empires but of eternally glorious thoughts, to the peoples who bid defiance to Time—to renovated India."

Rolland was a Nobel-Laureate in literature. But that was perhaps the most negligible of all his titles to remembrance. The unmistakable stamp of sincere humanity, undaunted heroism in the service of his fellow-men and an unconquerable faith in the freedom of all peoples were the noble traits of his great character.

Romain Rolland, friend of freedom, is name to conjure up a glorious vision before the dreaming hearts and to bring courage to the drooping spirit.

The world is undoubtedly very much the poorer today by the passing away under tragic circumstances of this life-long votary of Peace and International fraternity.

May his soul rest in peace!

(ii) Sir Arthur Eddington.

Sir Arthur Eddington, the world-renowned Astro-physicist and Director of the Cambridge Observatory, passed away a few weeks ago. The theory of the internal constitution of stars, as we understand it today, is the creation of Eddington. He also played a great part in spreading Einstein's Generalised Theory of Relativity in the English-speaking countries.

In December, 1937, Eddington came out to India along with other British scientists on the occasion of the Jubilee celebration of the Indian Science Congress.

The death of a scientist of Sir Arthur's eminence will be mourned by the scientific and non-scientific world equally.

May his soul rest in peace!

I would now request you, ladies and gentlemen, to rise in your places as a token of respect to the memory of the departed souls.

Thank you, ladies and gentlemen.

Condolence Resolution.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Mr. Deputy President, Sir, it is my melancholy duty to rise to move a condolence resolution on the death of one of our colleagues, a sitting member, Khan Sahib Maulvi Abdul Aziz. Sir, the Khan Sahib was a remarkable man. He rose from a very humble position. He was the President of his own Union Board and the Chairman of the Debt Settlement Board. He was also a member of the Jessore District Board for 12 years and in that capacity did a lot of work in the rural areas for the uplift of the masses. He established primary and high schools as well as a dispensary in his native village. He was a self-made man. Throughout the 4½ years of his membership of this Council, he did not absent himself for a single day. He attended the Council every day in spite of his failing health for the last one year. He had a heart attack on one occasion when he fainted within the precincts of this House, but in spite of that he made it a point to attend the Council every day. We all mourn the loss of such a gentleman, a man of amiable disposition, of unostentatious habits. May his soul rest in peace!

I now move the resolution: This Council places on record its sense of sorrow and loss at the demise of one of its sitting members, Khan Sahib Maulvi Abdul Aziz, a remarkable gentleman of unostentatious habits with a strong sense of duty and discipline and a silent worker for the uplift of the masses.

I hope, Sir, this resolution will be accepted by the House.

Mr. DEPUTY PRESIDENT: Resolution moved: That this Council places on record its sense of sorrow and loss at the demise of one of its sitting members, Khan Sahib Abdul Aziz, an amiable gentleman of unostentatious habits with a strong sense of duty and discipline and a silent worker for the uplift of the masses.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, on behalf of the Congress Council Party, I associate myself with all that has fallen from the lips of the Hon'ble Leader of the House. I had occasion to know the Khan Sahib long before he entered this Council and I always found him a man of affable and genial temperament. So far as I know, he had no enemy here or outside. As a businessman, he rose from the ranks and made his position unique both in the business circle and outside. With these few words, I pray that his soul may rest in peace!

Mr. LALIT CHANDRA DAS: Sir, on behalf of myself and on behalf of the members belonging to the Party to which I have the honour to belong, I associate myself with all that has fallen from the lips of the Hon'ble Leader of the House. Although my acquaintance with the late Khan Sahib was slight, still from the little that I knew of him he struck me as a very good and kind man. Sir, I support the resolution.

Mr. HARIDAS MAJUMDAR: Sir, on behalf of my Party I support the resolution moved by the Hon'ble Leader of the House. I had occasion to

know the honourable member intimately, and I can say that he was really a great lover of his village and his district. He has left a record of good constructive work at his credit. He was a peace-loving man and a gentleman in the truest sense of the term. By his death we have really lost a friend. With these few words, I whole-heartedly support the resolution.

Alhadj Khan Bahadur SHAIKH MUHAMMAD JAN: Sir, I whole-heartedly support the condolence resolution moved by the Hon'ble Leader of the House on the sad demise of Khan Sahib Abdul Aziz, a sitting member of this House. Though I did not know much of him, yet I appreciate the services which he rendered to his country and his community as a member of the Jessore District Board. He was an amiable gentleman and a pious Mussalman, and this is all the more reason that we should mourn his death.

Mr. R. S. PURSELL: Mr. Deputy President, on behalf of myself and the group I represent in this House I beg to associate myself with the remarks of the Hon'ble Leader of the House and to extend our sympathy to the relatives of the late Khan Sahib. I support the resolution which has been moved.

Mr. NUR AHMED: Mr. Deputy President, I whole-heartedly associate myself with what has fallen from the lips of the Hon'ble Leader of the House about the late lamented Khan Sahib Abdul Aziz. It is really very unfortunate that the Khan Sahib is no longer in our midst. I always found him to be a man of amiable disposition. He has left a record of public service behind him and I think it will be our duty to emulate the same. From a very humble beginning the late Khan Sahib rose to be a member of the Upper House of this province by dint of solid service in the cause of humanity. I deeply mourn his loss at this time and I again full-heartedly support the resolution which has been so ably moved by the Hon'ble Leader of the House.

Mr. BIREN ROY: Sir, I associate myself with what has been stated by the leaders of various parties who have spoken on this resolution, and I wish that as a mark of respect to the memory of a sitting member the House should be adjourned to-day without transacting any further business.

Mr. DEPUTY PRESIDENT: Before putting the question, I wish to say that I fully share the feeling of profound sorrow which has been so lovingly expressed from different sections of this House on the death of Khan Sahib Abdul Aziz and I join honourable members in offering my heartfelt sympathy to the bereaved family in their grievous loss. The Khan Sahib was a self-made man. Starting his life from a very humble position, he eventually rose to be a successful business man. The vast fortune amassed by him was spent on various philanthropic and humanitarian activities. Mr. Moazzem Ali Chaudhuri and myself met him only three days before his death. In spite of his illness he was the same obliging and jovial person and when we took leave of him we never knew that we were not going to meet him and enjoy the pleasure of his company again. A gentleman in the truest sense of the term, the Khan Sahib will be remembered by his friends, colleagues and admirers with profound respect. unassuming and unostentatious in his bearing, he lived the life of a true Mussalman. In his death I have personally lost a sincere well-wisher and a loving friend. I shall always gratefully remember his kindness to me on many occasions and even in the last discharge of his duty as a member of the Legislature he was all kindness and sympathy towards me. May God shower on him his choicest blessings and may his soul rest in peace!

I shall now proceed to put the resolution moved by the Hon'ble Leader of the House.

"This Council places on record its sense of sorrow and loss at the demise of one of its sitting members, Khan Sahib Abdul Aziz, an amiable gentleman of unostentatious habits with a strong sense of duty and discipline and a silent worker for the uplift of the masses."

I would now request you, ladies and gentlemen, to rise in your places as a mark of respect to the memory of the deceased.

(Honourable members rose in their places.)

Thank you. It will be my duty to see that the message of condolence together with copies of the speeches made by the honourable members is sent to the members of the bereaved family.

Order, order. I take it that it is the desire of the House, following the convention already created, to adjourn the meeting without transacting any further business. But there is one difficulty. Perhaps you have noticed that in the list of business there is one item—Presentation of the Budget—the date of which has been fixed by His Excellency the Governor. We cannot change the date and we are absolutely helpless in the matter. So, I propose that simply the Budget shall be presented and before proceeding with any other business of the House we may adjourn the House.

Presentation of the Budget estimates for 1945-46.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, under the shadow of the death of one of the sitting members of the House I rise to present to the Bengal Legislative Council the Budget Estimates for the year 1945-46.

These estimates were presented to the other House yesterday and in the statement which I made on that occasion I reviewed in detail the financial results of the working of the current year as well as of the Budget proposals for the coming year. In accordance with usual practice, copies of that statement have since been made available to Hon'ble Members for their convenience. With that statement before them, Hon'ble Members will, I feel, desire me to confine my observations in this House only to the more prominent features of the Estimates.

When I presented the Budget for the current year in February last, I anticipated a revenue deficit of 8 crores. Revised Estimates indicate that in spite of an improvement of 14 crores in revenue, the deficit will be 3 crores higher. This is due to an increase in expenditure to the extent of 17 crores.

Among the items responsible for the growth in revenue, the most important is a subvention of 7 crores from the Government of India. India have agreed to meet half the total expenditure incurred in the two years 1943-44 and 1944-45 under the heads "Famine Relief", "Rehabilitation" and "Loss on the sale of subsidised food", subject to an overall limit of 10 crores. Out of this, 3 crores was adjusted in the accounts for 1943-44 and the balance of 7 crores is to be received in the current year.

The balance of the improvement in revenue is due principally to larger receipts under "Income-tax", "Excise" and "Other Taxes and Duties".

As I explained in my last Budget statement before the House, intimation was received from the Government of India, after the Estimates had been sent to the Press, that the divisible pool of income-tax would be some 5½ crores greater than was originally anticipated. This meant that Bengal, whose share in the pool is 20 per cent., would receive an extra crore and ten lakhs in the current year. The Revised Estimates place these extra receipts at a crore and 56 lakhs.

Under "Excise", an increase of 2½ crores has been secured by post-budgetary upgrading of rates of duty which has resulted in considerable enhancement of revenue from greatly reduced consumption of excisable articles.

Under "Other Taxes and Duties", the total improvement is of the order of 1½ crore. Out of this, one crore is due to enhancement of the rates of Sales Tax and the balance is derived from larger receipts from Entertainment Tax, Betting Tax, Electricity Duty and Motor Spirit Sales Tax, partly offset by reduction in yield from Raw Jute Tax.

On the expenditure side, as I have already stated, there is a total increase of 17 crores. Out of this 8½ crores is due to larger provision for loss on the sale of subsidised food. The original estimate provided for a loss of 5 crores. But this has gone up in the Revised Estimate to 13½ crores, including nearly 6 crores on account of transactions in the preceding year which could not be adjusted in the accounts for 1943-44. The loss on account of transport and storage works out at 5 per cent. of stocks handled in the case of rail and steamer transport and 10 per cent. in the case of transport by country boats. The present estimates do not, of course, make any allowance for such additional loss as may be incurred as a result of further devaluation of present stocks caused by reduction of the present selling prices.

The next important contributory cause of increase is the post-budget liability of a crore and 80 lakhs on account of the programme of Rehabilitation. This programme consists of the following items:—

(1) excavation and re-excavation of derelict irrigation tanks;

(2) execution of useful irrigation and drainage projects;

(3) rehabilitation of artisans and craftsmen by the supply of tools, implements and raw materials at cost price or at concesssion rates; and

(4) setting up of centralised destitutes' homes and orphanages.

The centralised destitutes' homes provide remunerative occupation for the inmates and give them necessary training in various crafts so as to enable them to earn their own living independently in due course.

The third item responsible for increased expenditure is the continuance of arrangements for administering medical relief to sick destitutes and for the control of epidemics of cholera, smallpox and malaria. It was assumed when the Budget was framed that these arrangements would not have to be continued beyond six months in the current year. This anticipation has, unfortunately, not been fulfilled and both medical relief and anti-epidemic measures had to be continued throughout the year and in many cases greatly expanded. The extra expenditure on this account is a crore and a half.

A further 1½ crore is involved in the expansion and reorganisation of the Department of Civil Supplies undertaken with a view to secure the maximum of administrative efficiency. Several new branches have been organised, particularly for the purpose of improving arrangements for storage and inspection of foodgrains; and a programme of construction of new godowns on an adequate scale has also been taken in hand.

A substantial portion of the increase in the current year's expenditure is due to enhanced provision for dearness allowance. In order to afford some further relief to moderately-paid Government employees who have been badly hit by the continuance of the abnormally high cost of living, it was decided in October last to liberalise the rates of dearness allowance and to give retrospective effect to this decision from the 1st of July, 1944. The extra cost involved in this decision is about a crore. A further 57 lakhs is required for giving effect to the scheme of contribution to local authorities to enable them to pay dearness allowance to the teachers and menial staff of primary and secondary non-Government schools. The total extra provision on these two accounts adds up to 1½ crore.

In the Agriculture Budget, the increase is from 1 crore 30 lakhs in the original estimates to 2 crores 22 lakhs in the revised. This is due, in

the first place, to larger outlay on "Grow More Food" schemes; and, in the next, to certain schemes of new expenditure: such as, compilation of crop statistics by a field-to-field enumeration (23 lakhs), sample survey of jute, *aus* and *aman* paddy (4½ lakhs), purchase of stud bulls (¾ lakh), multiplication of boats (1½ lakh) and reorganisation of the Dacca Dairy Farm (½ lakh).

The estimates for 1945-46 provide for a revenue of 29 crores which is almost exactly the same as the revenue for the current year, excluding the Central subvention of 7 crores. The yield from Agricultural Income-tax is estimated at 50 lakhs but the effect of this increase is neutralised by a reduction of 50 lakhs in our Income-tax receipts from the Centre.

The estimated revenue expenditure in the coming year is 37 crores or 10 crores less than the expenditure in the current year. Out of this reduction, some 8 crores is accounted for by a lower estimate of loss in respect of sale of subsidised food and some 2 crores by reduced provision for famine relief operations. In regard to the first item, it is hoped that losses will be minimised as a result of the improved arrangements for storage and testing of foodgrains introduced as a part of the scheme of reorganisation of the Department of Civil Supplies. In regard to the second, the assumption is that epidemics will subside early in the coming year and control measures will be no longer necessary.

The estimated revenue deficit in 1945-46 is of the order of 8 crores.

There are certain items of additional expenditure included in the Budget which call for individual mention. One of these is a provision of 25 lakhs for contribution to District Boards and Municipalities to enable them to grant dearness allowance to their low-paid employees. In the Education Budget, there are two new provisions—one of 8 lakhs for the development of primary education and the other of 5 lakhs for the improvement of secondary education. I need hardly mention that provision has also been made for a contribution of 5 lakhs, as usual, to the Scheduled Castes Education Fund. The Agriculture Budget contains a provision of 11 lakhs for the preliminary expenses in connection with a scheme for the establishment of a Central Live-stock Research *cum* Breeding Station. This scheme involves the acquisition of some 7,000 acres of land and the setting up of a special colony of workers. The Research Section will deal with problems relating to breeding, nutrition and management of cattle, fodder production and processing, manufacture and marketing of animal products. The Breeding Section will devote itself to the multiplication of the best lines of cattle, poultry and goats suitable for various areas of the Province.

Let me now turn to the Capital head "85-A", which records the large scale trading operations undertaken by Government to promote healthier marketing conditions in respect of certain commodities like foodgrains and standard cloth.

In the Budget for the current year it was assumed that sale-proceeds would exceed outlay on fresh procurement by 17 crores. The Revised Estimates provide for an outlay of 90 crores on procurement operations out of which 47 crores is derived from sale-proceeds of stocks. In addition to this an outlay of about 2½ crores is involved in a programme for the construction of boats.

In the coming year, the total outlay on procurement operations is estimated at 70 crores out of which 48 crores represents the turnover of stocks. The provision for the completion of the boat construction programme is 5½ crores in 1945-46.

Finance for procurement operations has been obtained in the current year from three separate sources, viz., issue of Treasury Bills, cash credit advance from the Imperial Bank up to a limit of 30 crores and a special advance of 10 crores from the Government of India. In the coming year the

cash credit arrangement with the Imperial Bank will be continued and the Government of India will provide the additional finance necessary for procurement operations. The programme of boat construction is to be financed by means of Treasury Bills both in the current year and in 1945-46.

Finally, further borrowing in the form of Treasury Bills has been provided for in the estimates to ensure a closing balance of near about 2½ crores both in the Revised and the Budget, this being the minimum required for working purposes.

According to the estimates in the hands of Hon'ble Members, our net indebtedness at the close of the coming year is expected to reach the total of 19 crores.

It will be obvious from this brief analysis, that the financial position in which the Province finds itself today as a result of emergent circumstances entirely beyond her own control are such as must cause the gravest concern to every one interested in her future welfare. We are deeply grateful to the Central Government for the assistance granted by them and we sincerely hope that further measures necessary to set the Province on a sound economic footing on the eve of Post-War Reconstruction will not be unduly delayed.

Mr. DEPUTY PRESIDENT: Order, order. The House stands adjourned till 1-30 p.m., on Monday, the 19th February, 1945.

Adjournment.

The Council then adjourned till 1-30 p.m. on Monday, the 19th February, 1945.

Members absent.

The following members were absent from the meeting held on the 17th February, 1945:—

(1) Mr. Sultanuddin Ahmed.
(2) Mr. Kader Baksh.
(3) Rai Bahadur K. C. Banerjee.
(4) Mr. H. R. Chowdhury.
(5) Mr. K. K. Dutta.
(6) Mr. R. W. N. Ferguson.
(7) Khan Bahadur A. Gofran.
(8) Mr. M. R. Jaipuria.
(9) Maulana Mohd. Akrum Khan.
(10) Mr. N. N. Moholanabish.
(11) Mr. N. N. Mookerjee.
(12) Dr. K. Talukdar.
(13) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-35A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 2.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 19th February, 1945, at 1-30 p.m., being the second day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY J.P.) was in the Chair.

QUESTIONS AND ANSWERS

Mr. DEPUTY PRESIDENT: Hon'ble Mr. Suhrawardy.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, Mr. Suhrawardy is out of Calcutta and his questions may be postponed.

Mr. DEPUTY PRESIDENT: Then all questions standing in the name of Mr. Suhrawardy are postponed.

Security prisoner Mr. Khagendra Nath Das Gupta, M.L.A.

2. Mr. NAGENDRA NATH MAHOLANABIS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the case of Mr. Khagendra Nath Das Gupta, M.L.A., detained as a security prisoner at the Jalpaiguri Jail has been considered by the Government with a view to his early release?

(*b*) Was he, before his detention, connected with the Jalpaiguri Electric Supply Co., Ltd.? If so, in what capacity?

(*c*) Was he getting any pay or allowances there? If so, how much?

(*d*) Has any allowance been granted to him or to his family? If so, how much? If not, why not?

(*e*) Has he been informed of the charges, if any, against him or the reasons of his detention and has he ever been asked to explain such charges?

(*f*) Is it a fact that he was injured in the jail on or about the 11th of April, last? If so, how?

(*g*) Is it a fact that bulls are let loose in the Jalpaiguri Jail, and that Mr. K. N. Das Gupta was injured as a result of an attack by such bulls? If so, what steps, if any, have been taken to prevent a recurrence of such incidents?

(*h*) Is it a fact that Mr. Das Gupta has been removed from the Jalpaiguri Jail while he was unable to move about due to such injuries and in spite of requests to postpone such removal till his perfect recovery, made by him, his wife and other relations and friends? If so, why?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Minister in charge of the Home Department): (*a*) Government have recently considered the case of Mr. Das Gupta and are satisfied as to the necessity of his continued detention.

(*b*) and (*c*) Yes, as a Manager on Rs.200 per month.

(*d*) No. The allowance of Rs.150 per month that he draws as an M.L.A. is considered to be adequate for the maintenance of his family.

(*e*) Yes.

(*f*) Yes. I have no precise information. Most probably he was walking unmindfully and at the sight of a cow, which was grazing inside under proper guard of prisoners employed in cowshed he was frightened and stumbled. As a result, he got a slight bruise in one of his great toes.

(*g*) No.

(*h*) Mr. Das Gupta was quite fit to travel when he was transferred to the Rajshahi Central Jail.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state the reasons for arriving at the conclusion that Government are satisfied as to the necessity of his continued detention?

Mr. K. C. ROY CHOWDHURY: The reasons are confidential.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state the number of the family members and dependents of Mr. Khagendra Nath Das Gupta?

Mr. K. C. ROY CHOWDHURY: I ask for notice.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister kindly consider the point that on the number of the family members depends whether the allowance of Rs. 150 is sufficient for them?

Mr. K. C. ROY CHOWDHURY: Mr. Khagendra Nath Das Gupta, M.L.A., will get Rs. 200 as soon as the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, is passed.

Mr. HARIDAS MAZUMDAR: This question was put in February and I think this enhanced allowance will not come into effect until the Bill is passed. But how can the Government think that the amount would be sufficient unless they know the number of the family members?

Mr. DEPUTY PRESIDENT: Mr. Mazumdar, in a supplementary question you have no scope for argument. You may simply put the supplementary questions.

Mr. LALIT CHANDRA DAS: In fixing the allownace has the Government taken into consideration that Mr. Das Gupta was drawing Rs. 200 as Manager of the Company?

Mr. K. C. ROY CHOWDHURY: Government has taken that into consideration.

Mr. HARIDAS MAZUMDAR: The answer is that Mr. Das Gupta used to get Rs. 200 as Manager of that company. Is the Government aware whether he used to get any other allowances besides his pay?

Mr. K. C. ROY CHOWDHURY: I do not know exactly.

Appointment of Lawyer-Magisrtates.

3. Rai Bahadur KESHAB CHANDRA BANERJEE: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state the number of posts of Lawyer-Magistrates in the contemplation of the Government at the time of inviting applications for the second time on the 3rd February, 1944, from practising lawyers between 40 and 45 years of age?

(*b*) How many applications were received, and what was the total amount of fees realised?

(*c*) What was the number of Caste Hindu, Muslim and Scheduled Caste candidates recommended by the Public Servcie Commission, Bengal, from the second batch of applicants?

(*d*) What is the number of Caste Hindu, Muslim and Scheduled Caste candidates appointed so far from the said batch?

(*e*) Is it a fact that on the 13th July, 1944, the appointments of eight Muslim and four Scheduled Caste candidates only from the second batch were gazetted?

(*f*) Is it also a fact that not a single Caste Hindu has yet been appointed from the second batch of candidates?

(*g*) Is it a fact that the thirty-eight officers from the other Provinces whose services have been placed at the disposal of the Bengal Government will be sent back and replaced by the qualified lawyer candidates who have already been selected by the Public Service Commission, Bengal, and whose names are still on the waiting list?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) The precise number of posts which might be offered to these candidates was not fixed at the time of calling for applications. These nominations were invited in order to build up a reserve of suitable candidates against future demands.

(*b*) Three hundred and ninety-four applications were received and a total fee of Rs. 1,925 was realised.

(*c*) Caste Hindu 55, Muslim 17, Scheduled Caste 7.

(*d*) Eight Muslims and four Scheduled Caste candidates.

(*e*) and (*f*) Yes.

(*g*) Government have no such proposal under consideration.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state why no Caste Hindu has been appointed though 8 Muslims and 4 Scheduled Castes have been appointed?

The Hon'ble Khwaja Sir NAZIMUDDIN: I may inform the House that this statement is not correct. Up to now the Communal Ratio has been strictly followed. It is quite possible that perhaps as far as the Scheduled Castes are concerned their full quota have not been appointed and as far as the caste Hindus are concerned their full quota has been appointed. I may refer to question (*c*) where it is said "What was the number of Caste Hindu, Muslim and Schedule Caste candidates recommended by the Public Service Commission, Bengal, from the second batch of applicants?" In this case I think candidates from the first batch of the Caste Hindus have not yet been exhausted, and so from the second batch none has been appointed.

Mr. BIREN ROY: Does the Government consider that all the 55 caste Hindu candidates recommended by the Public Service Commission are untouchables for such appointments?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am sorry the honourable member has not been able to follow the answers that I have been giving. I have already told the House that up to now the caste Hindu quota has been drawn from the first batch recommended by the Public Service Commission.

Mr. BIREN ROY: What was the quota?

The Hon'ble Khwaja Sir NAZIMUDDIN: It depends on our demand for appointments. We are making appointments from time to time; and whenever we appoint, we appoint strictly on the communal ratio basis. The Scheduled Castes, the Caste Hindus and the Muslims get their quota according to the ratio fixed for them.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state how many Caste Hindus were taken from the first batch?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. BIREN ROY: Will the Hon'ble Minister please tell us what was the number of the Caste Hindus that were actually appointed?

The Hon'ble Khwaja Sir NAZIMUDDIN: So far as the exact numbers are concerned, I have not the figures here. It makes no difference whether they are taken from this batch or that batch: because every time we make appointments, the number of Caste Hindus, the Scheduled Castes and the Muslim is fixed according to the Communal Ratio Rules. The reason why you do not find any Caste Hindu from the second batch is that the Caste Hindus included in the first batch were not exhausted.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to tell this House whether the numbers as appointed and as shown in this answer tally with the respective quotas of the Caste Hindus, the Muslims and also the Scheduled Castes?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am trying to impress upon the House that up to now we have made appointments strictly according to the Communal Ratio Rules.

Mr. SHRISH CHANDRA CHAKRAVERTI: Will the Hon'ble Minister be pleased to state what is the communal ratio of appointments which he is referring to?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is 50:50. Muslims 50 and the Caste Hindus and the Scheduled Castes 50.

Appointment of constables in the Calcutta Police.

4. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) what is the total number of constables in the Calcutta Police, appointed during the last three years;

(*b*) how many of them are Bengalis; and

(*c*) how many of the Bengali constables, appointed during this period, are Hindus, and how many Muslims?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Three thousand two hundred and forty-five.

(*b*) Two thousand four hundred and thirty-four.

(*c*) (*i*) Muslims—1,298, (*ii*) Caste Hindus—950, and (*iii*) Scheduled Castes—186.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state why the rest were not taken from the Bengalis?

Mr. K. C. ROY CHOWDHURY: The answer is that Bengalis were not available in sufficient numbers.

Mr. LALIT CHANDRA DAS: Is the honourable member quite sure of his facts? Is he giving information from his own record or from guess?

Mr. K. C. ROY CHOWDHURY: No, certainly not.

Members of the Bengal Legislative Assembly detained as security prisoners

5. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of security prisoners who are members of the Bengal Legislative Assembly with their names;

(*b*) if the Government propose to make it possible for these M.L.A. security prisoners to attend the next session of the Assembly if they are not set free before the said session is held;

(*c*) whether the Government, if necessary, propose to write to the Central Government making recommendations on the lines noted in part (*b*); and

(*d*) if not, why not?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Six, Messrs. Jnanendra Chandra Majumdar, Sarat Chandra Bose, Satya Priya Banerjee, Khagendra Nath Das Gupta, Nikunja Behari Maity and Suresh Chandra Banerjee. Mr. Sarat Chandra Bose has been detained under orders of the Government of India.

(*b*) and (*c*) No.

(*d*) In the public interest, I must decline to state the reasons.

Mr. HARIDAS MAZUMDAR: Am I to understand that the Government of Bengal have not recommended to the Central Government for the release of these detenus?

The Hon'ble Khwaja Sir NAZIMUDDIN: Except in the case of Mr. Sarat Chandra Bose there is no question of any recommendation to the Government of India. Release in other cases are made by this Government and therefore the question does not arise.

Mr. HARIDAS MAZUMDAR: With reference to Mr. Sarat Chandra Bose, have the Government of Bengal made any recommendation to the Central Government for his release?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit that this question does not arise as Mr. Bose has been detained under the orders of the Government of India and we have nothing to do with this matter.

Mr. HARIDAS MAZUMDAR: With reference to recommendation ——

Mr. DEPUTY PRESIDENT: Well, the Hon'ble Chief Minister has already answered the question.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to say whether Government propose to make any recommendation for Mr. Bose's release?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have already stated that that is a matter not within the jurisdiction of this Government, and I cannot answer what we propose to do or not; we are only responsible for answers on those subjects for which we are primarily responsible to this House and not for such subjects for which we are not primarily responsible.

Road accidents in Chittagong.

6. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) if it is a fact that the number of road accidents by cars of all descriptions have recently increased in Chittagong;

(*b*) if so, how many persons were killed and how many persons injured in Chittagong in road accidents by (*i*) military vehicles, (*ii*) private cars, and (*iii*) hackney carriages in Chittagong during first nine months of the year 1944; and

(*c*) how many persons were killed and how many injured in Chittagong in road accidents (*i*) by military cars, (*ii*) by private cars, and (*iii*) by other carriages during the years 1941, 1942 and 1943 in Chittagong?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Sir Nazimuddin): (*a*) No.

(*b*) and (*c*) Do not arise.

Mr. NUR AHMED: Will the Hon'ble Minister please state how many persons were killed, and how many were injured in Chittagong road accidents, by motor cars, by private cars and by other carriages during the years 1941, 1942 and 1943, and during nine months up to 1944?

Mr. K. C. ROY CHOWDHURY: Sir, this question enquires about increase in road accidents in Chittagong. I have already stated that there has been no increase in road accidents there. The figures in our possession do not show any increase.

Mr. NUR AHMED: I am asking for figures for these accidents.

Mr. K. C. ROY CHOWDHURY: I must ask for notice in that case.

Pay of the menial staff.

15. Rai Bahadur KESHAB CHANDRA BANERJEE: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) the present scale of pay of the menial staff such as orderlies, peons, jamadars, etc., attached to the Bengal Secretariat, the Bengal Legislative Assembly and the Council Departments of the Government of Bengal;

(*b*) what was the scale of pay drawn by them before April, 1937;

(*c*) whether any dearness allowance is paid to them;

(*d*) whether any representation, verbal or in writing, has been made by them to the Government for an increase in their rates of pay or for additional allowances; and

(*e*) if the answer to part (*d*) is in the affirmative, what, if any, decision has been arrived at in the matter?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Tulsi Chandra Goswami): (*a*) The present scale of pay of jamadars is Rs. 20—1/2—24 and that of peons, orderlies, etc., is Rs. 13—1/5—17 *plus* compensatory allowance at Rs. 2 per mensem.

(*b*) The scales were the same as at present.

(*c*) Yes.

(*d*) Yes, such representations have been made from time to time.

(*e*) The rate of dearness allowance has been increased progressively from Re.1 per mensem in February, 1941, to the present rate of Rs.14.

Appointment of non-Bengali officers in the Commercial Tax Department.

16. Mr. BIREN ROY: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state if it is a fact that some non-Bengal officers have been appointed in the Commercial Tax Department as Commercial Tax Officers disregarding the claims of both Hindus and Muslims of Bengal?

(*b*) If the answer to part (*a*) is in the affirmative, will the Hon'ble Minister please state the circumstances under which these officers had to be appointed?

(*c*) Did the Government make proper enquiries as to the claims of these officers for appointment in Bengal by way of domicile, etc.?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: It is not the policy of Government to discriminate against non-Bengalis permanently domiciled in

Bengal. If the honourable member will let me have the names of the non-Bengali officers whose appointment he believes to have been irregular I shall have enquiries made.

Mr. BIREN ROY: Before the names are given, may I ask the Hon'ble Minister who makes these appointments?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: It is done by Government.

Office hours in the Bengal Government Press.

17. Mr. HUMAYUN KABIR: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) if his attention has been drawn to Memorandum No. 1108-Mis., dated Calcutta, the 4th October, 1944, issued by the Government of Bengal;

(*b*) if it is a fact that the industrial hands of the Bengal Government Press are to be deprived of the concession granted in the said circular; and

(*c*) whether the industrial hands of the Bengal Government Press are allowed the concessions which are granted to industrial hands of other departments of Government?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: (*a*) Yes.

(*b*) The memorandum varies, but does not shorten, the office hours prescribed in Finance Department Memorandum No. 1025-Mis., dated the 18th August, 1942. Neither this memorandum nor the memorandum of 18th August, 1942, applies to the hours of work in the Bengal Government Press.

(*c*) I am not aware of any concession admissible to industrial hands of other departments of Government that is not allowed to the industrial hands of the Bengal Government Press.

Mr. HUMAYUN KABIR: Arising out of (*b*), will the Hon'ble Minister be pleased to state whether Government are prepared to apply the conditions of this memorandum to the workers in the Bengal Government Press?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: May I know what exactly the honourable member means by the expression "prepared to apply the conditions of this memorandum"?

Mr. HUMAYUN KABIR: In answer to question (*b*), it is stated "neither this memorandum nor the memorandum of 18th August, 1942, applies to the hours of work in the Bengal Government Press". Will the Hon'ble Minister consider the desirability of applying the concessions made in the memorandum to the workers of the Bengal Government Press?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I understand that their demands were recently considered by Government and certain decisions were communicated to the employees of the Bengal Government Press on the recommendation of the Labour Commissioner and I believe those decisions have given general satisfaction.

Mr. DEPUTY PRESIDENT: Question No. 18——

Mr. HUMAYUN KABIR: On a point of order, Sir. Can this question be discussed? It cannot I think be declared by any other member. It is in the name of Mr. Habibullah Chowdhury who has withdrawn from the Election contest and is no longer a member of the House at all——

Mr. HAMIDUL HUQ CHOWDHURY: Up to the date of declaration he was a member——

Mr. DEPUTY PRESIDENT: I am told that we have not got any official communication with regard to the termination of the membership of this member. So any other honourable member who wishes to call this question may do so.

Arrangement for teaching in Applied Chemistry.

18. Mr. HAMIDUL HUQ CHOWDHURY (on behalf of Maulvi Md. Habibullah Chowdhury): Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) what is the number of students studying Applied Chemistry in the post-graduate classes in the Calcutta and the Dacca Universities;

(*b*) what is the number of Muslim students studying Applied Chemistry in the post-graduate classes in the Calcutta and Dacca Universities;

(*c*) whether the Muslim students get any facility for the admission into the post-graduate classes to study Applied Chemistry; and

(*d*) whether the Government propose to make arrangements in the Presidency College, Calcutta, for teaching Applied Chemistry?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. Tamizuddin Khan): (*a*) Thirty-six in the Calcutta University and fifteen in the Dacca University.

(*b*) Two and ten respectively.

(*c*) Yes.

(*d*) Not now, as neither the accommodation nor the equipment and staff would permit the opening of an Applied Chemistry Department. It is however realised that such a section should be attached to this college, not only for post-graduate studies but also for under-graduate training. As soon as conditions return to normal the question will be taken up.

Alleged strike at Faridpur by the vegetable and milk-sellers.

19. Khan Sahib Maulvi WAHIDUZZAMAN: (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state if he is aware of the fact that there was no supply of milk and vegetable available in the Faridpur town from the 7th to the 10th August, 1944?

(*b*) Will he please state what were the reasons for the failure of supply during these days?

(*c*) Will he please state whether the strike of the vegetable and milk sellers was to protest against the failure of the police to prevent a handful of Muslim Leaguers from creating a disturbance at the Faridpur District Food Conference on the 28th July, 1944?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) No.

(*b*) There was no failure of supplies. It is reported that some members of the Krishak Proja Party prevented certain milkmen and vegetable dealers from coming to the town. Use of violence in some cases is also reported. Complaints by two such aggrieved persons were filed in court and are under enquiry.

(*c*) No strike by the vegetable and milk sellers is reported.

Mr. HUMAYUN KABIR: Arising out of (*a*), will the Hon'ble Minister please state what the "No" means? Does it mean that he is not aware of the fact or does it mean there was no supply?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: There was no supply.

Mr. HUMAYUN KABIR: Are we to understand from the Hon'ble Minister that there was no hartal or strike as alleged in the question, in view of the answer given in (*b*): "There was no failure of supplies"?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: From the report I find no indication of any strike.

Mr. HUMAYUN KABIR: Is it not clear from the answer that there was a partial failure of supply?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, that was due to an interference by the Krishak Praja Party.

Mr. HUMAYUN KABIR: Is the Hon'ble Minister saying this from the official report or from hearsay?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am giving this information from the report of the District Magistrate.

Mr. HUMAYUN KABIR: In that case, what action the District Magistrate has taken in order to prevent such interference?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It was left to the parties to ask for redress: two of the men who were interfered with have already filed complaints and enquiries have been made.

Mr. HUMAYUN KABIR: Is the Hon'ble Minister quite sure of his grounds when he states that use of violence has been reported?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It is there in the report.

Mr. HUMAYUN KABIR: Since when the Government have been so lenient in a case of violence and have not taken action even though it is going to be one year since the strike?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Complaints have been made but as these are non-cognisable cases it was left to the parties to file suits in courts.

Mr. HAMIDUL HUQ CHOWDHURY: Or is it because Government could not take action as the Krishak Praja Party is involved in this case?

Mr. HUMAYUN KABIR: Or is it because Government knew that it was a complete strike and Government machinery had failed to take any action and was afraid of provoking them any further lest the repercussions would get out of their control.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly not.

High price of vegetable, milk, etc.

20. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—

(*a*) if it is a fact that the price of all vegetables, milk and other foodstuff except rice, have gone up abnormally to the great hardship of the poor and middle class people;

(*b*) whether it is a fact that the abnormal rise in prices of vegetables, milk and other foodstuff except rice is due to large purchase from markets for the military; and

(*c*) if so, what measures have been taken by the Government to keep the prices thereof at a reasonable level?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) Yes.

(*b*) Although purchase by the military contractors is responsible for increase in prices to some extent, prices have risen partly because of the increase in population within the Province and partly in sympathy with the rise in prices of other essential commodities.

(*c*) For increasing the production of vegetables Government have decided to bring in additional areas under vegetables. It is proposed to put large areas near Calcutta and Dacca under cold weather vegetables.

As regards fish, schemes for production of fish in the Sunderban Abad and for tank fisheries have been sanctioned. Decision has also been taken to requisition a number of fishery tanks in East Bengal for the culture of fish and a Special Officer is now working in the district of Tippera selecting tanks for requisitioning. It is also proposed to utilise some 200 tanks improved under the Tanks Improvement Act in the districts of Bankura and Birbhum for fish growing. The question for controlling supply of ice which is essential for the fish trade is also receiving active consideration and an Ice Controller has recently been appointed and an Ice Control Order has been issued under the Defence of India Rules.

As to supply of milk, the question of limiting the use of milk for non-essential purposes is being actively considered.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state whether the answer is up-to-date?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Almost up-to-date. Only the question of controlling the supply of ice was receiving consideration; but now it has been considered and we are going to increase the supply of ice.

Mr. HAMIDUL HUQ CHOWDHURY: With reference to vegetables it is said in the answer that Government is intending to put large areas near Calcutta and Dacca under cold weather vegetables. May I know when it is going to materialise? This year or the next year?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: This year they have already done and in the next year they are going to increase the areas for vegetables.

Mr. HARIDAS MAZUMDAR: With reference to the last portion of answer (*c*), it is said "As to supply of milk, the question of limiting the use of milk for non-essential purposes is being actively considered." Now, will the Hon'ble Minister be pleased to tell us how long this consideration stage will take?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Milk census is being taken, and certain officers are being appointed to obtain facts and figures regarding the milk supply in Calcutta. This has not been complete as yet, and so we have not been able to come to any decision.

Mr. HARIDAS MAZUMDAR: Am I to understand that it will take another year or so?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The report is expected within a few days.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state whether it is a fact that in Chittagong fish is scarcely available? If so, will he tell us if any scheme has been drawn up to increase the fish culture in Chittagong?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Particularly for Chittagong no scheme has been drawn up. A scheme has been drawn up for the whole of the Province.

Mr. HAMIDUL HUQ CHOWDHURY: I have come to know that a large number of dry cows are being slaughtered in the slaughter houses of Calcutta. May I know whether any step has been taken by Government to stop this?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We have just issued an order only a few days ago to the effect that no serviceable cows should be allowed to be slaughtered even in the civil slaughter houses.

Mr. HAMIDUL HUQ CHOWDHURY: But what steps have been taken to prevent the practice? Even after the promulgation of the order it has been brought to my notice that every day the same thing is going on.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We have appointed officers to watch this in respect of the military slaughter house already; but in respect of the civilian slaughter houses an order has been only recently issued, and we will have officers appointed for this purpose.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware of the real reason why milkmen send these dry cows to the slaughter house? The reason is that they cannot maintain them economically themselves. If that be so, does the Government propose to take any steps for the purpose of providing for their maintenance anywhere near about Calcutta?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The Government is considering the matter.

Appointment of the Dairy, Animal Nutrition and Poultry Experts.

21. Rai Bahadur KESHAB CHANDRA BANERJEE: Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—

(*a*) whether it is a fact that Messrs. Singleton, Ballinger and Haddon have been appointed by the Government of Bengal as Dairy, Animal Nutrition and Poultry Experts, respectively;

(*b*) what are the special qualifications of these gentlemen and from where they have been recruited;

(*c*) what are their salaries, what is their term of office and where will they be posted;

(*d*) whether suitable Indians possessing the necessary qualifications were not available for appointment to these posts;

(*e*) if the posts were advertised; if not, why not;

(*f*) on whose recommendations were these officers selected and what are their past record of services and experiences;

(*g*) if the Government of India were consulted regarding the creation of these posts and the appointments made; and

(*h*) if the necessary provision has been made in the current year's budget to meet all expenses consequent upon these appointments?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: (*a*) Yes.

(*b*) They are members of the Agriculture Department of New Zealand. Their qualifications are as follows:—

(*i*) J. A. Singleton, B.SC. and B.AG.—Specialist in the production and manufacture of dairy products with practical dairy factory experience and field instruction. Lately Lecturer, Dairy Science, Massey Agricultural College.

(*ii*) C. E. Ballinger, B.AG.—Research Officer, specialising in Dairy, Cow and Pigs Nutrition, Ruakura Animal Research Station.

(*iii*) S. G. Haddon, Certificate of Poultry Practice, England—Has sound practical knowledge in Poultry problem with four years' instructional and administrative experience.

They have all been recruited from New Zealand.

(*c*) The pay of the officers is as follows:—

(*i*) Mr. Singleton, Dairy Expert—Rs.1,600 per mensem.

(*ii*) Mr. Ballinger, Animal Nutrition Expert—Rs.1,600 per mensem.

(*iii*) Mr. Haddon, Poultry Expert—Rs.1,000 per mensem.

The posts have been sanctioned for a year.

For the present they will be at Calcutta.

(*d*) to (*f*) Efforts were made to obtain suitably qualified Indians without success. In view of this fact and of the fact that the posts are temporary, they were not advertised. The officers appointed were recommended by the Prime Minister of New Zealand to whom an appeal was made for help since it is recognised by competent opinion that the dairy and livestock industries are highly developed in that country.

(*g*) No; such consultation is not necessary.

(*h*) The charges will proceed against current year's budget under the appropriate heads under "Subordinate and Expert Staff" in the "40—Agriculture" budget, supplementary grant being provided later in the year, if necessray.

Mr. HAMIDUL HUQ CHOWDHURY: Have Government any materials to show what remunerations these officers used to draw in New Zealand?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, it was in view of their remunerations there that their pay was fixed by us.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister please state what efforts were made to obtain suitable qualified Indian candidates here?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We requested the Government of India if they could find such men from any other province, but as they could not we had to resort to this.

Mr. HUMAYUN KABIR: Did the Government consider the advisability of advertising for these posts?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No.

Mr. HUMAYUN KABIR: Did the Government decide not to advertise because they were afraid that suitable Indians might be forthcoming?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly not. We knew that the dairy industry was not developed in India to such an extent that we were likely to get qualified men. All the provinces in India are in dearth of dairy experts. We tried the good offices of our Governor to find out through the Government of India if there were experts available; but failing there we had to make this arrangements.

Mr. HUMAYUN KABIR: With regard to poultry, is it not a fact that the Hon'ble Minister himself made certain enquiries in a certain quarter and that a man was available with better qualifications than the person who has been appointed?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not know who is the gentleman referred to.

Mr. HUMAYUN KABIR: Is it not a fact that the Hon'ble Minister was in correspondence with a gentleman in Darjeeling who had practical experience of poultry farming for some years and whose academic degree was higher than that of the person appointed? So far as I know, this gentleman had certainly more than 4 years experience.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, that gentleman had a very small private farm and therefore he was not considered fit to run a very big farm like the one that is contemplated for this province. We wanted to extend poultry farming throughout the province and we did not think him properly qualified for this heavy job. We wanted to have a man from a place where poultry farming was highly developed.

Khan Bahadur ABDUL GOFRAN: For what period have these officers been appointed?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: For one year only.

Halting charges to jurors.

22. Rai Bahadur KESHAB CHANDRA BANERJEE: Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—

(*a*) whether halting charges are paid to jurors summoned to attend Sessions Courts at District Headquarters in Bengal;

(*b*) if the answer is in the affirmative—

(*i*) what is the rate at which halting charges are paid per head per diem,

(*ii*) whether the rate is uniform throughout the Province or varies in different districts,

(*iii*) if it is a fact that halting charges are not paid for the first day and the last day of attendance but paid only for the intervening period, if any, namely, from the second to the penultimate day of attendance, and

(*iv*) if the answer is in the affirmative, whether his attention has been drawn to the great hardship and financial loss caused to the mufassal jurors owing to the non-payment of halting allowances for attending Sessions Courts on the first and the last day as they have to meet their boarding and lodging expenses from their own pockets;

(*c*) whether travelling allowances are paid to jurors for attending the Courts of Sessions; and

(*d*) if the answer is in the affirmative, what is the mileage rate at which or any other principle on which such travelling allowances are paid?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hosain, Khan Bahadur): (*a*) and (*c*) Yes.

(*b*)(*i*) Halting allowance at the rate of Rs.3 for ordinary jurors and assessors and at Rs.4 to special jurors for each day of actual attendance in Court excluding the first and the last.

Grant of half the allowance referred to above payable for the first and last days.

(*ii*) The rate is uniform throughout the Province.

(*iii*) No. Half of the halting allowance is payable for the first and last days of attendance in Court.

(*iv*) The question does not arise.

(*d*) Actual travelling expenses to and from the Court subject to the proviso that no allowance in excess of Rs.8 for the single journey or in excess of Rs.16 for the double journey may be paid except under the orders of an officer not lower in status than a District Judge.

The Calcutta Blind School.

23. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state if his attention has been drawn to the editorial in a Bengali daily on the 8th March, 1944, regarding the administration of the Calcutta Blind School?

(*b*) Will he enquire if the allegations made in that editorial are justified? If so, what steps does he propose to take in the matter?

(*c*) Is it a fact that the said school is the only school for blind children in Calcutta?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. K. Shahabuddin): (*a*) Yes. It is an aided institution in receipt of a grant-in-aid from the Industries Department.

(*b*) I am having necessary enquiries being made in the matter. Appropriate steps can only be taken in the light of these enquiries.

(*c*) Yes.

Commissioner for Workmen's Compensation.

24. Mr. LATAFAT HOSSAIN: (*a*) Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state if it is a fact that the present Commissioner for Workmen's Compensation, Bengal, holds his Court only 3 days a week?

(*b*) Is it not a fact that the former Commissioners for Workmen's Compensation used to hold their Courts every day?

(*c*) Will the Hon'ble Minister be pleased to state as to how many contested cases were disposed of in the last 3 months and how many are pending for disposal, with their dates of filing?

(*d*) If the answers to parts (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister be pleased to state as to what steps he has taken or intends to take in respect of the same?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. K. Shahabuddin): (*a*) and (*b*) No.

(*c*) One hundred and ten disposed of and 247 pending. Preparation of the list of cases with dates of filing is not considered necessary. Average duration of cases is 3 months.

(*d*) Does not arise.

Strike notice by the workers of the "Statesman" and "Hooghly Printing Press".

25. Mr. LATAFAT HOSSAIN: (*a*) Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state if it is a fact that the workers of the "Statesman" and "Hooghly Printing Press" have sent strike notices to the Joint Secretary, Commerce, Labour and Industries Department, through the Labour Commissioner, and also to the proprietors concerned to the same effect?

(*b*) Is it not a fact that about 200 workers of the said presses made personal representations of their grievances before the Hon'ble Minister at his residence on the 8th October, 1944?

(*c*) If the reply to parts (*a*) and (*b*) be in the affirmative, will the Hon'ble Minister be pleased to state as to what steps he has been pleased to take to prevent the strikes? If not, why not?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. K. Shahabuddin): (*a*) Copies of strike notices over the signatures, alleged to be those of the workers of "Statesman" and "Hooghly Printing Press", were received by the Labour Commissioner for being forwarded to the Secretary, Commerce, Labour and Industries Department.

(*b*) Yes.

(*c*) I asked the workers to represent their grievances first to the Labour Commissioner. The Labour Commissioner has asked the union of the workers to extend the period of strike notice as their grievances are under investigation.

Hostel for the students of the Campbell Medical School.

26. Khan Sahib FARIDUDDIN AHMED (on behalf of Maulvi Md. Habibullah Chowdhury): Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether it is a fact that the Government acquired land for building a hostel for the students of the Campbell Medical School twenty years back;

(*b*) if the answer to part (*a*) be in the affirmative, why the hostel has not been built; and

(*c*) whether the Government are considering the desirability of building a hostel for the students of the Campbell Medical School in the near future?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmed): (*a*) Yes.

(*b*) The construction of the hostel could not be undertaken so long as there is a refuse railway line of the Corporation lying on the land acquired for the purpose. After long negotiations the Corporation have agreed to the removal of the line and to the surrender of the land appertaining to it at the cost of Government. Steps are now being taken by Government to expedite the removal of the line.

(*c*) Yes; the hostel will be built as soon as the railway line has been removed and building materials become available in sufficient quantity at reasonable prices.

Mr. BIREN ROY: Building materials, for example, are controlled by Government and the prices must be reasonable. So what is the reason for saying in the reply "as soon as the railway line has been removed and building materials become available in sufficient quantity at reasonable prices"?

Mr. K. C. ROY CHOWDHURY: Unless the railway line is removed the question of building materials does not arise.

Lady Superintendent of the Campbell Hospital.

27. Khan Sahib FARIDUDDIN AHMED (on behalf of Maulvi Md. Habibullah Chowdhury): Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether it is a fact that the Lady Superintendent of the Campbell Hospital has been convicted of an offence of assaulting a *dai* in the hospital;

(*b*) if so, what departmental action has been taken against her by the Government;

(*c*) if not, why not;

(*d*) whether it is a fact that the Lady Superintendent suspended about thirty male nurses on the last *Id* day or near about without any authority and that there was strong feeling against her for this action and that the grievances of the persons concerned were brought to the notice of the Government and the Hon'ble Minister;

(*e*) if so, what action has been taken against her;

(*f*) whether any order has been passed by the Government dismissing, discharging, or otherwise removing her from her post;

(*g*) if so, whether any effect has been given to those orders; and

(*h*) if not, why not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) Yes. She was convicted and fined Rs.30.

(*b*) and (*c*) No departmental action was taken on the conviction, because the question of motion against conviction on her representation was under examination by Legal Remembrancer. She was, however, discharged from service later on.

(*d*) Yes.

(*e*) to (*h*) She was discharged from service with effect from the 1st August, 1944.

Executive Officers in the Manikganj subdivision.

28. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether all the Executive Officers in the Manikganj subdivision are at present Muslims;

(*b*) whether all the police officers posted in the Manikganj police-station are at present Muslims;

(*c*) whether he is aware that Hindus are in a minority in the subdivision;

(*d*) if so, whether the Government contemplate posting of mainly Hindu officers in the subdivision for the protection of the rights of the minority?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*d*) No.

(*b*) and (*c*) Yes.

Bankura Borstal School.

29. Mr. BANKIM CHANDRA MUKHERJEE: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state if he is aware that in the Bankura Borstal School the Hindu boys who are usually given a special diet on the *Mahastami* day according to the Jail Code Rules were not so fed that day during 1943, and also 1944, but on a subsequent day?

(*b*) Is he aware that in the Borstal School no separate kitchen is kept for the Hindu boys in spite of their protest and that the Hindu boys are compelled to take food prepared by Muslims and others in the kitchen?

(*c*) Is he aware that in spite of the objection by the Jail doctor and also by the Hindu boys themselves meat of she goats was supplied to the Hindu boys and that meat of goats slaughtered according to the Muslim custom is given to the Hindu boys in spite of their protest?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes

(*b*) and (*c*) No.

War allowance to Government employees.

30. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state if he is aware that the Government employees drawing a monthly salary of Rs.150 or less have been feeling great financial strain owing to abnormal rise in prices of foodstuffs and other necessaries of life?

(*b*) Is he aware that Government of India have recently increased war allowances to their employees drawing abovementioned monthly salaries?

(*c*) If so, do the Government of Bengal propose to increase war allowances to these employees?

(*d*) If not, why not?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: (*a*) The abnormal rise in prices has naturally imposed a financial strain on all persons with fixed income.

(*b*) No.

(*c*) and (*d*) Do not arise.

Mr. NUR AHMED: Arising out of (*c*) and (*d*), will the Hon'ble Minister be pleased to state whether apart from the increase granted by the Government of India, the Government of Bengal are considering the desirability of increasing the dearness allowance to the Government servants drawing up to Rs. 150?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The Government of India have not increased the war allowance.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state if Government are considering the desirability of increasing the dearness allowance to its officers drawing a salary of Rs. 150 and less?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Not just now.

Mr. BIREN ROY: Will the Hon'ble Minister be pleased to state whether the rise in the prices of all articles has not greatly increased the cost of living in Bengal?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I cannot answer offhand what the exact increase is; but there has been a considerable rise in the cost of living.

Mr. BIREN ROY: Does the Hon'ble Minister consider that the payment of dearness allowance or war allowance of Rs. 14 or Rs. 15, whatever it may be, is commensurate with the increase even in foodstuffs irrespective of any other increase in the cost of living in Bengal?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The principle which the Government have followed is not to compensate their employees for the rise in the cost of living but only to ensure a substantial living wage to their employees.

Mr. BIREN ROY: Sir, even in England in war time the increase in wages of every ordinary worker is not only commensurate with the increase in the cost of living but is actually more than the cost of living.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The cost of living index in England is fortunately for that country only about 130 today and that has been secured by measures of Government but that is not possible here.

Post-war economy.

31. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether the Government of Bengal

has prepared or proposes to prepare a post-war scheme for the formation of a committee of experts and some non-official members of the Bengal Legislature to scrutinise present items of expenditure as incurred by the Government of Bengal, year by year, and to suggest measure to effect economy therein?

(*b*) If not, why not?

(*c*) What were the total income and expenditures of the Government of Bengal during the years of 1922-23, 1931-32, 1939-40, 1941-42 and 1942-43 respectively?

(*d*) What was the percentage of increase in expenditure on nation-building departments in these years?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: (*a*) and (*b*) The consideration of this question will obviously have to wait till the present emergency is over and things return more or less to normal.

(*c*) and (*d*) A statement is laid on the Table.

Statement referred to in reply to question No. 31.

[Figures of Revenue and Expenditure are in thousand of rupees.]

	1922-23.	1931-32.	1939-40.	1941-42.	1942-43.
	Rs.	Rs.	Rs.	Rs.	Rs.
Total Revenue ..	9,85,38	9,01,06	14,31,66	14,94,28	16,46,42
Total Expenditure ..	9,59,63	11,00,52	13,71,24	15,50,38	16,79,16
Percentage of increase in expenditure on Nation-building Departments taking the expenditure in 1922-23 as base. ..		9·9	39·5	55·6	67

Dearness allowance to pensioners.

32. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether it is a fact that pensioners drawing above Rs.40 a month are not allowed to draw dearness allowance?

(*b*) If so, are the Government aware that this is causing great hardship to them and their family members owing to high prices of all the necessaries of life?

(*c*) Is it a fact that pensioners drawing up to Rs.40 a month are allowed a dearness allowance by means of which they draw an amount higher than the pensioners drawing over Rs.40 and below Rs.54 a month?

(*d*) Do the Government consider the desirability of extending the privilege of drawing dearness allowance to pensioners drawing pension up to Rs.75 a month?

(*e*) If not, why not?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: (*a*) and (*d*) No dearness allowance has been sanctioned to pensioners but in view of the rise in the cost of living, a temporary increase has been sanctioned in pensions up to Rs.80 per mensem. Copies of relevant orders have been placed in the Library.

(*b*) and (*c*) Do not arise.

(*c*) No.

Rural reconstruction.

33. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state what measures have been taken by Government of Bengal in the matter of rural reconstruction in all its phases in Bengal?

(*b*) What special steps have been adopted by the Government of Bengal for the welfare of village womenfolk in Bengal?

(*c*) Have the Government of Bengal appointed any lady organisers to teach them how to perform their simple household duties?

(*d*) If not, do the Government of Bengal propose to employ some lady organisers in Bengal for this purpose?

(*e*) If not, why not?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: (*a*) In spite of various difficulties arising out of the present international situation, the activities of the Rural Reconstruction Department have been kept alive by moral persuasion and propaganda carried on by Jute Regulation and Agriculture Development Departments in addition to their other heavy duties. The programme which is based mostly on self-effort of the people suffered a good deal but the Dharmagola scheme has been a marked success. The work done in different spheres is given in the annual report for 1943-44, a copy of which is placed in the Library.

(*b*) and (*c*) The answer is in the negative.

(*d*) No.

(*e*) Not feasible under present conditions.

Mr. NUR AHMED: Arising out of (*c*), will the Hon'ble Minister please state why conditions are not feasible at present?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: There is dearth of real organisers now, as all competent men have been employed in various departments of Government.

Training of village officers in matters of village welfare.

34. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state if any scheme for the training of the village officers and presidents of the union boards in matters of village welfare and improvements have been drawn up and initiated by the Government in Bengal?

(*b*) If not, why not?

(*c*) What other special measures have been adopted by the Government of Bengal for training of the rural workers and presidents of the union boards in village welfare work?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: (*a*) The reply is in the negative.

(*b*) Mainly financial difficulty. Presidents of union boards are not persons on whose training Government can appropriately insist.

(*c*) As one of its post-war plans the Agriculture Department has a scheme for the training of non-official workers and Government servants in rural development work at a Central Institute.

Standard of living.

35. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state whether the Government of Bengal propose to appoint an expert committee during

war time to determine a minimum standard of living for all people of Bengal according to their age, sex, status, physical condition and nature of duties and to recommend measures for establishing this standard?

(*b*) If not, why not?

(c) Do the Government propose to prepare and put into operation after the war any such scheme establishing a minimum standard of living for all people of Bengal as a post-war measure?

(*d*) If not, why not?

The Hon'ble Mr. K. SHAHABUDDIN: (*a*) and (*b*) No decision in the matter has yet been taken. At present an enquiry into the minimum needs of industrial labour in the Calcutta industrial area under the guidance of the Labour Commissioner, Bengal, is in progress. The Social Security Sub-Committee of the Post-war Reconstruction Committee may take into consideration the results of the above enquiry in coming to a decision in the matter.

(*c*) and (*d*) Proposals for setting up wage boards to determine minimum wages in selected industries are under the consideration of the Government of India and this Government may be asked to co-operate in the execution of schemes resulting from those proposals. No other scheme is under consideration now.

Cases of malnutrition and under-nutrition in Bengal.

36. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that a large percentage of the population of Bengal is suffering from malnutrition and under-nutrition?

(*b*) If so, do the Government of Bengal propose to set up a Provincial Nutrition Board in Bengal on the line of Central Nutrition Board of India to deal with all aspects of the nutrition problem of Bengal on a co-ordinated regional basis?

(*c*) If not, why not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) Yes.

(*b*) Steps are being taken to set up such a committee for dealing with the problem of malnutrition in Bengal.

(*c*) Does not arise.

Sale of quinine.

37. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that condition is attached to a licence for quinine that its holder is to sell quinine to the malaria-stricken people of the Purbadhair Union No. 4 only on production of a certificate for such quinine from a registered doctor?

(*b*) Are the Government aware that this condition is causing great hardship to the sufferers from malaria and that the securing of such certificates means to a patient to travel a distance of 3 to 4 miles in the mufassal and a payment of fee to doctor?

(*c*) Are the Government aware that this condition is practically depriving patients the use of quinine?

(*d*) Do the Government propose to entrust the licensees with the task of selling quinine to a patient even without a certificate from a registered doctor?

(*e*) If not, why not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) No. Under the Quinine Ordinance Order sales of cinchona products are required to be supported in areas outside municipal limits by a prescription from either a registered medical practitioner or an unregistered medical practitioner approved by the Civil Surgeon of the district.

(*b*) and (*c*) No. The previous orders no doubt were that prescriptions only from registered medical practitioners were to be served by Government quinine selling agents. But in order to relieve the public of harassment, prescription from an unregistered medical practitioner approved by the Civil Surgeon are now allowed to be dispensed by the Government quinine-selling agent.

(*d*) and (*e*) No. The existing procedure for sale of cinchona products cannot be relaxed as this would be likely to result in the commodity flowing into the black market.

Opening of a Provident Fund by the Asansol Mines Board of Health.

38. Rai Sahib JOGENDRA NATH RAY: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that the Government have not yet given any power to the Asansol Mines Board of Health to open a Provident Fund in spite of repeated prayers? If so, what immediate action do the Government propose to take in the matter and when?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: Yes: the matter has, however, been taken up in connection with the amendment of the Bengal Mining Settlement Act which is now under consideration.

Amalgamation of the Asansol and Jharia Mines Boards of Health.

39. Rai Sahib JOGENDRA NATH RAY: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that the two Mines Boards of Health, namely, the Asansol Mines Board of Health and the Jharia Mines Board of Health, are going to be amalgamated and that they would be controlled jointly under the same and one official Chairman? If so, when and why?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: There is no such proposal before Government.

Census of the destitutes and the unemployed.

40. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) if it is a fact that in pursuance of a resolution passed at the Bengal Legislative Council a census of the destitutes and the unemployed in the Province was taken up by the Government of Bengal;

(*b*) if the said census has been completed what is the number of such destitutes and the unemployed in the country up to the date of such census;

(*c*) what is the number of villages taken in the census; and

(*d*) what is the cost of making such survey and census?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Tarak Nath Mukerjea): (*a*) No. There being various degrees of destitution, the term "destitute" is not capable of precise definition. Such is the case with the term "unemployed" also, as many people do not remain employed or unemployed throughout the year. A mere counting of the number of "destitutes" and the "unemployed" by arbitrary definition would hardly serve the purpose. What would be of material help is to have

an economic survey of the whole Province, house by house; but as this is not practicable at present, arrangement has been made to have a random sample survey of the economic condition in the distressed villages of this Province through the Indian Statistical Institute by paying a grant-in-aid not exceeding Rs.25,000 to the institution. The survey will be conducted in about 600 villages selected at random in the distressed subdivisions of the Province with a view to finding out the degree and extent of destitution, the classes of people who have suffered and the way in which they have suffered as also the estimated requirements for their relief and rehabilitation. Government have not received up-to-date information about the progress made in this direction. An enquiry has been made on this point and the report on receipt, will be duly communicated to the honourable member.

(*b*) to (*d*) Do not arise.

Private markets in Calcutta.

41. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if he is aware that there is a large number of markets still run by private proprietors within the Calcutta Corporation limits? If so, will he be pleased to state what control over such markets has been given to the Corporation authorities for the purpose of superintending the administration of such markets?

(*b*) Are Government aware that such markets have got no appropriate market office and there are no Superintendents of such markets?

(*c*) Are Government aware that for the purpose of avoiding Government's interference the proprietors of such markets keep in place of a Superintendent a bazar sircar for the purpose of raising tolls and taxes on behalf of the proprietors?

(*d*) Is the Hon'ble Minister aware that specially in the Jagu Babu's market, Bhowanipore, complaints have been made to the proprietor of the market about the mismanagement of his market but with no effect?

(*e*) Do Government propose to issue executive orders that all proprietors of such markets, and specially of the market, named as Jagu Babu's market, should appoint a Bazar Superintendent with regular office hours and the posting of a Police Sergeant in the Bazar Superintendent's office for the purpose of taking immediate action on complaints of the public, whenever such complaints are made to the Bazar Superintendent, as is done in all municipal markets owned by the Corporation?

(*f*) Does the Hon'ble Minister propose to take immediate action for acquiring Jagu Babu's market and all private markets in Calcutta and hand them over to the Calcutta Corporation for their management? If not, why not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) Yes. There are several private markets in Calcutta. These markets are controlled under sections 395, 396, 397, 398, 399 and 400 of the Calcutta Municipal Act under which the Corporation has power to sanction establishment of a private market, to grant its periodical licence under certain terms and conditions to take necessary action for maintenance of proper drainage proper ventilation arrangement, general sanitation, etc., and to take action for closing an unauthorised market. But powers of internal administration of a private market lie with the owners and not with the Corporation.

(*b*) and (*c*) Generally an office exists for each market in charge of the Superintendent or a Manager or a Sarkar.

(*d*) Government have no knowledge of complaints made to the proprietor of Jagu Babu's market.

(*e*) Government will consider the matter.

(*f*) No: this is a step which may properly be taken by the Corporation of Calcutta and not by the Provincial Government.

Irrigation projects in Bengal.

42. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state how many small irrigational projects have been prepared and put into operation in all districts of Bengal and how many in each district?

(*b*) What is the total estimated cost of the same, and out of the total expenditure how much has been contributed by the Government of India and how much by Government of Bengal?

(*c*) Do the Government of Bengal propose to apply to the Government of India requesting them to bear a part of the cost of such irrigational schemes?

(*d*) If not, why not?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Mr. Barada Prasanna Pain): (*a*) Two hundred and seventy-four small irrigation schemes (i.e., schemes costing less than Rs.10,000 each) have been taken up for execution.

A statement of the number of schemes taken up in each district is laid on the Table.

(*b*) The total estimated cost amounts to Rs.11,30,177. The exact amount to be contributed by the Government of India is not correctly known yet.

(*c*) The Government of India is approached for contribution in all suitable schemes.

(*d*) Does not arise.

Statement referred to in reply to question No. 42, showing small irrigation schemes (i.e, schemes costing not more than Rs.10,000 in each case) taken up in different districts of Bengal.

Name of district.	Number of small schemes taken up in the district.	Name of district.	Number of small schemes taken up in the district.
Bakarganj ...	2	Midnapore ...	21
Bankura ...	5	Murshidabad ...	10
Birbhum ...	37	Nadia ...	30
Burdwan ...	5	Rajshahi ...	6
Bogra ...	8	24-Parganas ...	1
Dacca ...	20	Tippera ...	1
Dinajpur ...	9	Noakhali ...	1
Faridpur ...	23	Mymensingh ...	4
Hooghly ...	8	Pabna ...	3
Howrah ...	10		
Jessore ...	22		
Khulna ...	4	Total ...	274
Malda ...	44		

Mr. NUR AHMED: With regard to (*a*), will the Hon'ble Minister please state why no small irrigation project has been prepared and put into operation in Chittagong?

The Hon'ble Mr. BARADA PRASANNA PAIN: Because presumably the Collector had no scheme ready.

Mr. BIREN ROY: In the statement to the question as printed, in respect of the district of 24-Parganas there is found one small project: what is that scheme, please?

The Hon'ble Mr. BARADA PRASANNA PAIN: I ask for notice.

Mr. NUR AHMED: Will the Hon'ble Minister please consider the case of Chittagong as regards future projects?

The Hon'ble Mr. BARADA PRASANNA PAIN: Yes, I will.

Mr. DEPUTY PRESIDENT: Questions over.

Point of privilege regarding Public Accounts Committee.

Mr. HARIDAS MAZUMDAR: Sir, may I rise on a point of privilege of this House? It is about the appointment and functioning of a Public Accounts Committee of the Council. The Hon'ble Finance Minister in reply to a question of mine on this subject gave a very disappointing reply and the Hon'ble President also told us that he was helpless in the matter of the appointment of a joint committee of both Houses. Now, Sir, I think it is the right and privilege of this House to have a Public Accounts Committee of its own and we would like to see it function in order to scrutinise the audit report; otherwise it becomes a farce. Therefore, I suggest that the appointment of a Public Accounts Committee of this House should be made forthwith and should function, so that we may scrutinise the expenditure of the funds of this province. That is the point of privilege, Sir, and I think the Deputy President has the right to refer the matter to the Privilege Committee of this House at once without consulting the House.

Mr. RANAJIT PAL CHOWDHURY: Another point of privilege——

Mr. DEPUTY PRESIDENT: Let me dispose of this point first.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, if you so desire I can make a fuller statement later on on this matter; but I may recall that this matter has been hanging fire for several years. I was trying to arrive at some sort of workable arrangement. Would my honourable friend Mr. Haridas Mazumdar kindly tell me if there is any Second Chamber in any province which has got a Public Accounts Committee of its own? I do not think there is any. Besides, there is the difficulty that we may come in conflict with the other House. The only solution to this is that we may have a Joint Committee only if the other House agrees. So that it would seem to be a matter of self-denying ordinance. We cannot compel the Government of Bengal to take notice of a Public Accounts Committee of the Bengal Legislative Council. On that there is a very big file which is growing for some time and part of which I showed to the Hon'ble President. There has been a great deal of discussion on this subject but nothing seems to have materialised so far and I am, therefore, somewhat helpless in the matter.

Mr. DEPUTY PRESIDENT: Do you agree, Mr. Mazumdar, to wait for the fuller statement of the Honourable Finance Minister?

Mr. HARIDAS MAZUMDAR: We have been waiting for the last 8 years practically and perhaps may have to wait till the dissolution of the Legislative Assembly. I do not know whether the Hon'ble Minister is within his rights to refer to the practice in other Upper Houses; but we consider it advisable and reasonable that the accounts should be scrutinised by this House. As a matter of fact, a Committee was appointed in this regard but it is not functioning. My point is that this Committee should function.

Mr. DEPUTY PRESIDENT: Mr. Mazumdar, I want personally to look into this matter and I won't take much time.

Mr. HARIDAS MAZUMDAR: In that case, I do not press it now.

Mr. HAMIDUL HUQ CHOWDHURY: Will it be, Sir, before the budget discussion? Every session we have been expecting a decision from the Government but in vain.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I can make a statement showing the exact position but beyond that I cannot go.

Mr. HUMAYUN KABIR: Sir, this Committee has been appointed in terms of the rules of procedure of our House. Therefore, the question of procedure in another House does not arise. Under the Statute we have framed our rules of procedure. We have the rules of procedure of our own and under those rules of procedure this committee has been appointed and if it is not allowed to function I think the Hon'ble Finance Minister is to blame—he is not the only culprit—other Finance Ministers are equally guilty. Sir, it is high time that this House should take a definite attitude in this matter. I agree entirely with my friend Mr. Hamidul Huq Chowdhury that before the budget discussion is taken up this matter should be settled. I think this House is within its rights to refuse the discussion of budget unless some decision on the question of the functioning of the Public Accounts Committee is taken.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, what I suggest is that Government should treat this committee as a committee of this House which should go into the Appropriation accounts. May I know if it is taken as a House committee whether Government will co-operate in the matter?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: In order that the Public Accounts Committee should function we must have the co-operation of the Accountant-General and it has to be considered whether he can be prevailed upon to do so. As far as I remember, the Auditor-General is very strongly against it.

Mr. DEPUTY PRESIDENT: If I remember aright, it was arranged that a conference would be held to consider this question in which the Hon'ble President and the Hon'ble Finance Minister would be present. May I know if any such conference took place?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: We have had several conferences last year. I also suggested a meeting with the Hon'ble Speaker of the Assembly. We have had meetings with the Hon'ble Speaker and the Hon'ble President but I do not think any decision was come to.

Mr. DEPUTY PRESIDENT: I should like to go into the matter and make a full statement, and then the House may decide on its own course of action.

Mr. LALIT CHANDRA DAS: May I mention that there are several adjournment motions——

The Hon'ble Mr. K. SHAHABUDDIN: On a point of order, Sir. They are out of order because adjournment motions should be mentioned first thing after the question and before taking up any other business of the House.

Mr. HARIDAS MAZUMDAR: No, Sir, he is not right: privilege motion is taken first.

Mr. DEPUTY PRESIDENT: Yes.

Mr. RANAJIT PAL CHAUDHURY: On a point of privilege Sir We have not received copies of the Civil List which we used to be supplied with.

Mr. DEPUTY PRESIDENT: Will Hon'ble the Home Minister be pleased to enlighten on the point?

The Hon'ble Khwaja Sir NAZIMUDDIN: The matter is still under the consideration of Government. I may say that scarcity of paper is standing in the way of supplying Civil List to the members. The printed copies at present available are not sufficient for the supply to the members. So, what I suggest is that when the new Civil List is printed, the honourable members will be included in the distribution list.

Adjournment motions.

Mr. DEPUTY PRESIDENT: I have received several motions for adjournment. I am taking them up, one by one. The first motion stands in the name of Rai Bahadur Keshab Chandra Banerjee, but I find he is not in the House. So his motion falls through. The next one stands in the name of Mr. Lalit Chandra Das which runs as follows:—

That this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the failure of Government to take up in terms of the contract the undertaking of the Calcutta Electric Supply Company to supply electricity to Calcutta and the neighbouring industrial areas which will mature in 1948 by agreeing to extend the contract with the said Electric Supply Company till 1958 for supply of electricity to those areas, to the detriment of the best interests of the people concerned.

Now, has the honourable member the leave of the House to move the motion?

Mr. MESBAHUDDIN AHMED: Sir, I object to the motion being moved.

Mr. DEPUTY PRESIDENT: As there is objection, I would request those honourable members who are in support of leave being granted to rise in their seats.

(Fourteen honourable members rose in their places.)

As more than 13 honourable members have risen in support of this motion, the honourable member has the leave of the House to move his motion. I fix 1-30 p.m. tomorrow for the discussion of this adjournment motion.

Mr. LALIT CHANDRA DAS: Sir, there is no official business tomorrow. The adjournment motion must be discussed on a day when there is official business.

Mr. DEPUTY PRESIDENT: You may discuss it today.

Mr. HAMIDUL HUQ CHOWDHURY: Possibly my friend is regretting that he has brought this motion.

The Hon'ble Khwaja Sir NAZIMUDDIN: One Bill may be left for tomorrow.

Mr. HARIDAS MAZUMDAR: We have no objection to that.

Mr. DEPUTY PRESIDENT: Mr. Das, what is the harm if we proceed to discuss the adjournment motion just now? Are you not prepared today?

Mr. LALIT CHANDRA DAS: Not at all, Sir. I left all my papers at home. The reason is, Sir, that the Government are trying to avoid the whole discussion, and that is why they are praying for time.

Mr. DEPUTY PRESIDENT: All right, then we shall take up the discussion of this motion at 1-30 p.m. tomorrow.

Presentation of Select Committee Report on the Bengal Suppression of Immoral Traffic (Amendment) Bill.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to present the report of the Select Committee on the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1944, and I beg to move that this would be taken for consideration and passing on the 2nd of March, 1945. The reason why I want this facility is that we are in a hurry about this Bill; we have taken certain steps against persons in the matter of the closing of brothels, and unless we pass this Bill quickly there will be difficulty in enforcing this order. Therefore, I hope honourable members will kindly agree to this short notice.

Several honourable members: We have no objection.

Panel Of Chairmen.

Mr. DEPUTY PRESIDENT: Order, order. Under rule 6 of the Bengal Legislative Council Procedure Rules, I nominate the following gentlemen on the Panel of Chairmen for the current session:—

Mr. Kamini Kumar Dutta,
Khan Bahadur M. A. Momin, C.I.E.,
Mr. W. B. G. Laidlaw, and
Mr. Lalit Chandra Das.

Committee Of Privileges.

Mr. DEPUTY PRESIDENT: Under rule 120 of the Bengal Legislative Council Procedure Rules, a Committee of Privileges is to be constituted by election. Under Standing Order 19(2)(*i*), I therefore, fix 5 p.m. on Friday, the 23rd February, 1945, as the last date for receiving nominations for the said Committee.

Committee on Petitions.

Mr. DEPUTY PRESIDENT: Under rule 84 of the Bengal Legislative Council Procedure Rules, I nominate—

the Deputy President, *Chairman (ex-officio)*,
Mr. Bankim Chandra Dutta,
Mr. Bankim Chandra Mukherjee,
Mr. Humayun Kabir, and
Mr. Reajuddin Bhuiya,

on the Committee on Petitions for the current financial year.

House Committee.

Mr. DEPUTY PRESIDENT: Under rule 122 of the Bengal Legislative Council Procedure Rules, I nominate—

the Deputy President, *Chairman (ex-officio)*,
Mrs. K. D'Rozario,
Mr. R. W. N. Ferguson,
Khan Bahadur Mukhlesur Rahman,
Mr. Amulya Dhone Roy,
Mr. Yakub H. S. Sattar, and
Mr. Birendra Kishore Roy Chowdhury,

on the House Committee for the current session.

Library Committee.

Mr. DEPUTY PRESIDENT: Under rule 121 of the Bengal Legislative Council Procedure Rules, I nominate—

the Honourable President,
Khan Bahadur Abdul Hamid Chowdhury, J.P.,

Dr. Kumud Sankar Ray,
Mr. W. B. G. Laidlaw,
Mr. Humayun Kabir,
Mr. D. J. Cohen,
Mr. Haridas Mazumdar, and
Mr. Hamidul Huq Chowdhury,

on the Library Committee for the current financial year.

Messages from the Assembly.

The SECRETARY (Dr. S. K. D. Gupta): Sir, the following messages have been received from the Bengal Legislative Assembly:—

(*i*)

"The Bengal Legislative Assembly at its meeting held on the 21st November, 1944, agreed to the Bengal Alienation of Agricultural Land (Temporary Provisions) Bill, 1944, as passed by the Bengal Legislative Council, without any amendments.

SYED NAUSHER ALI,
Speaker,
Bengal Legislative Assembly."

(*ii*)

"The Bengal Legislative Assembly at its meeting held on the 22nd November, 1944, agreed to the Coroners and Criminal Procedure (Bengal Amendment) Bill, 1944, as passed by the Bengal Legislative Council, without any amendments.

SYED NAUSHER ALI,
Speaker,
Bengal Legislative Assembly."

(*iii*)

"The Bengal Legislative Assembly at its meeting held on the 22nd November, 1944, agreed to the Bengal Diseases of Animals Bill, 1944, as passed by the Bengal Legislative Council, without any amendments.

SYED NAUSHER ALI,
Speaker,
Bengal Legislative Assembly."

(*iv*)

"The Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 18th December, 1944, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

SYED NAUSHER ALI,
Speaker,
Bengal Legislative Assembly."

Sir, I herewith lay on the Table the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 18th December, 1944.

(v)

"The Albert Victor Leper Hospital (Amendment) Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 23rd November, 1944, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

SYED NAUSHER ALI,
Speaker,
Bengal Legislative Assembly."

Sir, I herewith lay on the Table the Albert Victor Leper Hospital (Amendment) Bill, 1944, as passed by the Bengal Legislative Assembly on the 23rd November, 1944.

(vi)

The Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, was passed by the Bengal Legislative Assembly at its meeting held on the 20th November, 1944, with the following amendments to which the concurrence of the Council is asked:—

AMENDMENTS.

Clause 3.—For the proviso to sub-clause (*2*) of clause 3, the following proviso has been substituted, namely:—

"Provided that no force shall be used to a woman except by another woman empowered in this behalf by the authorised officer."

Clause 4.—In sub-clause (*1*) of clause 4, in line 1, for the word "may" the word "shall" has been substituted.

Clause 5.—For clause 5, the following clause has been substituted, namely:—

"Orders as to conduct and discipline.

5. (*1*) An authorised officer may, subject to any rules made under section 12 and to such directions as may from time to time be issued in this behalf by the Provincial Government, make orders in writing for regulating the conduct of, and the maintenance of discipline amongst, destitute persons detained under section 3 in any place provided under section 4 and when such orders have been made every destitute person so detained in such place shall comply with such orders.

(*2*) If any destitute person to whom an order under sub-section (*1*) relates wiltully disobeys or neglects to comply with such order, he shall on conviction before a Magistrate be liable to be punished with imprisonment for a term which may extend to three months."

Clause 7.—For sub-clause (*1*) of clause 7, the following sub-clause has been substituted, namely:—

"(1) The authorised officer may at any time repatriate a destitute person detained under section 3 to the usual place of residence of such person as determined by such officer:

Provided that no destitute person shall be so repatriated unless the authorised officer is satisfied after such inquiries as he may consider necessary that adequate arrangements for ensuring the livelihood of such person have been made at such place of residence."

For paragraph (*b*) of sub-clause (*2*) of clause 7, the following paragraph has been substituted, namely:—

"(*b*) by such means and such route or routes, as the authorised officer may determine."

For sub-clause (*4*) of clause 7, the following sub-clause has been substituted, namely:—

"(*4*) If a destitute person,—

(*a*) wilfully obstructs any arrangements made by the authorised officer for his repatriation or refuses without reasonable cause to comply with any order of the authorised officer given by such officer for the purpose of effecting the repatriation of such person, or

(*b*) having as a result of repatriation left or been removed from Calcutta or any municipality, subsequently returns to any place within either Calcutta or any municipality and is found begging therein,

such person shall on conviction before a Magistrate be liable to be punished with imprisonment for a term which may extend to three months."

Clause 8.—In clause 8, in line 5, for the word "rule" the word "order" has been substituted.

Clause 13.—For clause 13, the following clause has been substituted, namely:—

13. (*1*) Any rules made or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943, shall notwithstanding that the said Ordinance has ceased to be in operation, be deemed to have continued to have effect and to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 26th day of October, 1943.

"Continuance of action taken under Bengal Ordinance III of 1943 and Bengal Ordinance II of 1944 and validation of actions taken after the Bengal Ordinance III of 1943 ceased to be in operation.

Ben. Ord. III of 1943.

(*2*) Any rules made or anything done or any action taken or any proceedings commenced before the commencement of this Act but after the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943 (hereinafter referred to in this sub-section as the first Ordinance), ceased to be in operation otherwise than under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, which if the first Ordinance had been in operation could have been validly made, done, taken or commenced in exercise of the powers conferred by or under the first Ordinance, shall not be invalid by reason of the fact that the first Ordinance had ceased to be in operation but shall be deemed to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 26th day of October, 1943.

Ben. Ord. II of 1944.

(*3*) Any rules made or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, shall, on the said Ordinance ceasing to be in operation, be deemed to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act was already in force when such rules were made or such thing was done or such action was taken or such proceedings were commenced."

Clause 14.—The clause has been omitted.

SYED NAUSHER ALI,
Speaker.
Bengal Legislative Assembly."

Sir, I herewith lay the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, on the Table as returned to the Council after amendments by the Assembly.

(*vii*)

"The Bengal Finance Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 13th December, 1944, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

SYED NAUSHER ALI,
Speaker,
Bengal Legislative Assembly."

Sir, I herewith lay on the Table the Bengal Finance Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 13th December, 1944.

(*viii*)

"The Murshidabad Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 21st November, 1944, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

SYED NAUSHER ALI,
Speaker,
Bengal Lagislative Assembly."

Sir, I herewith lay on the Table the Murshidabad Bill, 1944, as passed by the Bengal Legislative Assembly at its meeting held on the 21st November, 1944.

Governor-General's Assent to Bills.

Mr. DEPUTY PRESIDENT: I have now to inform the House that the following Bills which were passed by both Chambers of the Bengal Legislature, have been assented to it by His Excellency the Governor-General under the provisions of section 76(*1*) of the Government of India Act, 1935:—

(1) The Bengal Agricultural Income-tax Bill, 1944,

(2) The Coroners and Criminal Procedure (Bengal Amendment) Bill, 1944.

Governor's Assent to Bill.

Mr. DEPUTY PRESIDENT: I have now to inform the House that the following Bills which were passed by both Chambers of the Bengal Legislature, have been assented to by His Excellency the Governor under the provisions of Section 75 of the Government of India Act, 1935:—

(1) The Bengal Alienation of Agricultural Land (Temporary Provisions) Bill, 1944,

(2) The Bengal Diseases of Animals Bill, 1945.

Communication from the Government intimating action taken by them on Motions adopted under rule 112 of the Bengal Legislative Council Procedure Rules.

SECRETARY (Dr. S. K. D. Gupta): Sir, the following communications have been received from the Government intimating the action taken

by them on the motions, referred to in the said communications, which were moved in and adopted by the Council on the 6th October, 1944, under rule 112 of the Bengal Legislative Council Procedure Rules:—

(1)

"GOVERNMENT OF BENGAL.

Home Department.

(Constitution and Elections.)

No. 1443A.R.

FROM S. C. CHATTERJI, ESQ., *Asstt. Secy. to the Government of Bengal,*

TO THE SECRETARY, BENGAL LEGISLATIVE COUNCIL DEPARTMENT.

Dated Calcutta, the 19th December, 1944.

SIR,

I am directed to refer to your memorandum No. 1500/1(1)L.C., dated the 10th October, 1944, forwarding therewith a copy of an Address presented to His Excellency the Governor under rule 112 of the Bengal Legislative Council Procedure Rules on the subject of the supersession of the Howrah Municipality and to state that the orders of the Hon'ble High Court have been complied with and that the Howrah Municipality is functioning normally.

I have the honour to be,

SIR,

Your most obedient servant,

S. C. CHATTERJI,

Assistant Secretary to the Govt. of Bengal."

(2)

"GOVERNMENT OF BENGAL.

Home Department.

(Constitution and Elections.)

No. 123A.R.

FROM S. C. CHATTERJI, ESQ., *Asstt. Secy. to the Government of Bengal,*

TO THE SECRETARY, BENGAL LEGISLATIVE COUNCIL.

Dated Calcutta, the 23rd January, 1945.

SUBJECT:—*Address presented to the Governor by the Bengal Legislative Council on the subject of exemption of the printing and publication of the Holy Quoran from the provisions of the Paper Control (Economy) Order, 1944.*

SIR,

I am directed to refer to your memorandum No. 1501/1(1)L.C., dated the 10th October, 1944, on the above subject and to state as follows:—

The Government of India have carefully considered the question of exempting the printing and publication of the Holy "Quoran" from the provisions of the Paper Control (Economy) Order, 1944, while they consider that the present acute shortage of paper does not permit of total exemption

being granted in this respect, they are at the same time of opinion that publishers of the Holy "Quoran" would find it difficult if they are to be bound by the restrictions imposed by the Paper Control (Economy) Order, 1944. They have accordingly decided in consultation with a representative of the Association of the Holy "Quoran" publishers, to relax the provisions of the Paper Control (Economy) Order in this respect as follows:—

(*i*) Publishers of the Holy "Quoran" may use in a year commencing with the 1st July, 1944, for the printing of the Holy "Quoran" 60 per cent. of the quantity of paper (by weight) used by them for the same purpose in 1943.

(*ii*) The publishers will in addition be granted, a ration of newsprint equal to 10 per cent. of the quantity of paper used by them in 1943. This newsprint is allowed to enable the publishers to bring out cheaper editions of the Holy "Quoran".

In view of the above no further representation to the Government of India is considered necessary.

INTRODUCTION OF GOVERNMENT BILLS.

The Bengal Repealing and Amending Bill, 1944.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I beg to introduce a Bill to amend certain enactments and to repeal certain other enactments. I may mention for the information of the honourable members that the Bill was published in the *Calcutta Gazette* of the 15th February, 1945, under rule 48 of the Legislative Council Procedure Rules.

The Secretary (Dr. S. K. D. Gupta) then read the short title of the Bill: the Bengal Repealing and Amending Bill, 1944.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

The Bengal Tenancy (Amendment) Bill, 1945.

Mr. DEPUTY PRESIDENT: The Hon'ble Minister in charge of the Revenue Department.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to introduce the Bengal Tenancy (Amendment) Bill, 1945.

The Secretary then read the short title of the Bill: The Bengal Tenancy (Amendment) Bill, 1945.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

The Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to introduce the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945.

The Secretary then read the short title of the Bill: The Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

Bengal Legislature (Corrupt Practices and Election Enquiries) Bill, 1945.

Mr. DEPUTY PRESIDENT: The Hon'ble Minister in charge of the Home Department.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to introduce the Bengal Legislature (Corrupt Practices and Election Enquiries) Bill, 1945.

The Secretary then read the short title of the Bill: Bengal Legislature (Corrupt Practices and Election Enquiries) Bill, 1945.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

NOTICES OF MOTIONS REGARDING GOVERNMENT BILLS.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to give notice that I shall move on the 21st of February, 1945, that the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, be taken into consideration and be passed. I do so on a very short notice, but as the matter is not controversial I hope that there will be no opposition from the other side.

Mr. DEPUTY PRESIDENT: Order, order. If any honourable member wants to give notice of any amendment to this Bill, he will do so by 5 p.m. tomorrow.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to give notice that I shall move on the 7th of March, 1945, that the Bengal Legislature (Corrupt Practices and Election Enquiries) Bill, 1945, be referred to a Select Committee consisting of the following members, with instructions to submit their report by the 30th of August, 1945, and that the quorum of the Select Committee be fixed at four:—

(1) Khan Bahadur Nurul Amin,
(2) Khan Sahib Fariduddin Ahmed,
(3) Khan Bahadur M. Shamsuzzoha,
(4) Dr. Kasiruddin Talukdar,
(5) Mr. Dhirendralal Barua,
(6) Mr. W. B. G. Laidlaw,
(7) Mr. Srish Chandra Chakraverti,
(8) Mr. Lalit Chandra Das,
(9) Mr. Haridas Mazumdar,
(10) Khan Bahadur Naziruddin Ahmed, and
(11) the mover.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: Sir, I beg to give notice that the Albert Victor Leper Hospital (Amendment) Bill, as passed by the Legislative Assembly, be taken into consideration during the current session of the Council, and that the Bill as settled in the Council be passed. I beg with your permission to ask that the first motion that the Bill be taken into consideration be taken up on the 1st March, 1945 and the second motion that the Bill as settled in Council be passed be taken up on the 5th March 1945.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I beg now to give notice that during the current session of the Council I shall move: that the Bengal Repealing and Amendment Bill, 1945, be taken into consideration, and that the said Bill, as settled in the Council, be passed,

and I ask your permission to move the motions on short notice.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to give notice that in the current session of the Bengal Legislative Council I shall move that the Murshidabad Bill, 1944, as passed by the Bengal Legislative Assembly, be taken into consideration and passed as settled in the Council.

I also beg to give notice that during the current session of the Bengal Legislative Council I shall move that the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, as passed by the Bengal Legislative Assembly, be taken into consideration and passed as settled in the Council.

I also beg to give notice that during the current session of the Bengal Legislative Council I shall move that the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945, be taken into consideration as settled in the Council, and lastly—

I beg to give notice that I shall move on the 7th March that the Bengal Tenancy (Amendment) Bill, 1945, be referred to a Select Committee consisting of the following members, with instructions to submit their report by the 31st August, 1945, and that the quorum of the Select Committee be fixed at four.

The members of the Select Committee will be—

Mr. Nur Ahmed,

Khan Bahadur Abdul Hamid Chowdhury,

Mr. Hamidul Huq Chowdhury,

Khan Bahadur Mukhlesur Rahman,

Mr. Moazzemali Chowdhury,

Mr. James Orr,

Mr. Shris Chandra Chakraverty,

Rai Brojendra Mohan Maitra Bahadur,

Mr. Bankim Chandra Mukherjee,

Mr. Khorshed Alam Chowdhury, and

the mover.

Mr. DEPUTY PRESIDENT: Order, order. The House stands adjourned till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Tuesday, the 20th February, 1945.

Members Absent.

The following members were absent from the meeting held on the 19th February, 1945:—

(1) Khan Bahadur Naziruddin Ahmed.
(2) Mr. Sultanuddin Ahmed.
(3) Mr. Kader Baksh.
(4) Rai Bahadur K. C. Banerjee.
(5) Mr. Humayun Reza Chowdhury.
(6) Mr. C. E. Clarke.
(7) Mr. R. W. N. Ferguson.
(8) Maulana Mohd. Akrum Khan.
(9) Mr. N. N. Moholanabish.
(10) Mr. N. N. Mookerjee.
(11) Mr. B. C. Mukherjee.
(12) Dr. K. S. Ray.
(13) Mr. S. N. Sanyal.
(14) The Hon'ble Sir Bijoy Prasad Singh Roy.

BGP-45/6-36A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 3.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 20th February, 1945, at 1-30 p.m., being the third day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Adjournment Motion.

DEPUTY PRESIDENT: Adjournment motion—Mr. Lalit Chandra Das.

Mr. LALIT CHANDRA DAS: I beg to move the motion which stands in my name. It runs as follows:—

That this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the failure of Government to take up in terms of the contract the undertaking of the Calcutta Electric Supply Company to supply electricity to Calcutta and the neighbouring industrial areas which will mature in 1948 by agreeing to extend the contract with the said Electric Supply Company till 1958 for supply of electricity to those areas, to the detriment of the best interest of the people concerned.

Sir, apart from its primary and basic duty of securing public ownership of all public utility undertakings in exercise of its option of acquisition provided in every public utility lease, license or agreement, the Government of Bengal is duty bound to secure for the public maximum amenities at minimum cost which can only be done by elimination of dividend, etc. associated with company managed utilities. The Calcutta Electric Supply Corporation is a very profitable concern paying fat dividends to their shareholders. It refused to reduce the rate of domestic consumption to one anna per unit. Sir, soon after the last session, some time in November last, we learnt that the Government of Bengal, instead of taking up in terms of the contract the undertaking of the Calcutta Electric Supply Corporation to supply electricity to Calcutta and the neighbouring industrial areas which will mature in 1948, had agreed to extend the contract with the said Electric Supply Corporation for supply of electricity to those areas. This action on the part of the Government is greatly detrimental to the best interest of the people of this province.

Sir, I have a shrewd suspicion the Government of Bengal will deny that there was any such understanding about extension. But I will show that it is virtually so. In a press interview in November last, a Government spokesman said: "The Bengal Government have been considering the question of consolidation of the existing licences of the Calcutta Electric Supply Corporation to be in a position to acquire the complete undertaking at a specified date. The existing licences mature for purchase on different dates. Out of 14 licences, only 5 will mature in 1948 and the last one in 1980. The purchase of the complete undertaking before the expiry of the last licence can be effected only by agreement between the company and the Government." This is astounding. Why not purchase the 5 undertakings which mature in 1948? Negotiation will be easy thereafter for the rest. For the ultimate adoption of a comprehensive scheme of public control, it is not necessary to buy the complete undertaking at the termination of the last licence in 1980 or for that purpose to go into the question

of the consolidation of licences or negotiate terms with the company for an earlier purchase. In doing so, the Bengal Government practically extends the time not merely to 1958 but several years in future and at the same time becomes guilty of depriving the rights of the local bodies, such as the Calcutta Corporation, to purchase. Let us examine this point from another point of view. War is yet to end but the nations of the world are already busy making frantic preparations for the industrial competition which must follow the end of the war. The Government of India in its own way was not unmindful of the situation and has recruited Sir A. Dalal for the Viceroy's Executive Council to put forth his best efforts for the industrial regeneration of India and has also encouraged the provincial Governments to set up Post-War Reconstruction Committees. We find one such working here under the auspices of the Bengal Government.

But really is Bengal Government serious about industrial reconstruction of Bengal? Or how is it that they are unmindful of basic things? First task before them is to nationalise such basic things as electricity and coal, tram and telephones. Electricity is a great factor for working of plants of heavy or middle-sized industries at the cheapest cost. At moderate cost it is now one of the primary amenities of modern civilised life. Here was an opportunity for the Bengal Government to purchase the largest electrical undertaking in Bengal and this they have wilfully allowed to slip away. They have even put forth all sorts of lame excuses for obstructing the Calcutta Corporation to take up the tramways. These two actions on the part of the Bengal Government have gone against the best interests of the country. Sir, an opportunity to purchase the undertaking occurred also in 1938 but the Government was then reluctant to move. The Corporation were anxious to take up this undertaking but they were refused permission. Adjournment motions were moved in this House as well as in the Assembly at that time whereupon Government gave an undertaking that they would soon nationalise the electrical undertaking and that the extension upto 1948 was the last. Now the Government intends to give a further extension beyond 1948 and therefore it amounts to a breach of promise on the part of the Government. At that time Mr. Nalini Ranjan Sarkar, who was then the Minister in charge of the Finance Department, went so far as to say that not only the Calcutta Electric Supply Corporation but all the electrical companies in Bengal will be nationalised and several electrical installations will be set up in different parts of the Province to bring in an industrial millenium in Bengal. Both Sir Nazimuddin and Mr. K. Shahabuddin were then in the Cabinet. So it comes to this that promises are uttered to the ear only to be broken to the heart. We hope this time at least the promises would be fulfilled.

Sir, the action of the Government agreeing to extend the contract beyond 1948 has been detrimental also to the interests of the Calcutta Corporation without consulting which body no such extension should have been agreed to.

For that part of the electricity-served areas as lie within the jurisdiction of the Calcutta Corporation, the latter has got undoubted right to purchase the undertaking. Quibbling of law may help the supporters of the vested interests to point out that the Calcutta Electric Supply Corporation supplies other areas than Calcutta, such as Tollyganj, etc., and so the Corporation cannot come in and the only authority to purchase is the Government of Bengal. From this contention I differ. The Calcutta Electric Supply Corporation holds different areas under different licences and so much of the licences as relates to Calcutta, the Calcutta Corporation has got the undoubted right to redeem and purchase the undertaking. The Government of Bengal therefore should not have in any way prejudiced their claim of negotiating with the Electric Supply Corporation for purchasing the whole system or so much of it as lies within its jurisdiction.

Sir, the Public Utilities and Markets Standing Committee of the Calcutta Corporation have made recommendations reiterating their policy of acquisition of the electrical undertaking included within the Calcutta licence and declaring that the Corporation shall purchase the same on due date in 1948. The Calcutta Corporation has requested the Government to accord their sanction for their proposed purchase. They also stated their reasons why they did not proceed to acquire the undertaking in 1938. The Corporation believed that the Government pledge to nationalise electricity in the Province as given in 1938 would be strictly adhered to and implemented by the Government. Instead of this, the Corporation says that Government intend to negotiate terms and enter into agreement with the holders of the licences and thereby prolong, if not perpetuate, the existing Company-managed public utility concerns and negate the Government's declared policy of nationalisation.

Sir, the Corporation has even threatened litigation: for it says—

> "The Corporation will not allow any of their rights to go by default or be vitiated in any way by any steps taken by any party (including the Government of Bengal) and in the event of any such untoward action taking place, the Corporation will have the matter redressed and remedied, if necessary, by the final arbitration of the Laws."

This is the quagmire we have been placed in by the action taken or intended to be taken by the Bengal Government. Will Bengal Government see to its folly, correct the mistake and rise equal to the occasion?

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Order, order. Motion moved: that this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the failure of Government to take up in terms of the contract the undertaking of the Calcutta Electric Supply Company to supply electricity to Calcutta and the neighbouring industrial areas which will mature in 1948 by agreeing to extend the contract with the said Electric Supply Cimpany till 1958 for supply of electricity to those areas, to the detriment of the best interests of the people concerned.

Mr. HARIDAS MAJUMDAR: Sir, I wholeheartedly support the motion moved by my learned friend Mr. Lalit Chandra Das, and he has ably stated his case. Sir, I want to place certain facts before the House, and I shall put two straight questions to the Hon'ble Minister in charge of Commerce, Labour and Industries.

Sir, what do we find in the different parts of the world in regard to the question of nationalisation or municipalisation of not only the utility services but also big industrial concerns? Let me state one fact. On the 4th June, 1935, Mr. Hore-Belisha, a Minister of the British Cabinet, in reply to a question of Captain Bazzlel gave the following figures as to the rate of electricity for domestic consumption per unit: Manchester—half a penny; Leeds—half a penny; Edinburgh—half a penny; Crawford—three-fourths of a penny; Yorkshire—one penny; Buckinghamshire—three-fourths of a penny; Wiltshire and Berkshire—one one-fourth of a penny. Sir, we are in close proximity of coal districts and labour is exceptionally cheap in Bengal. It has been found on a careful calculation that the generating cost per unit cannot exceed one pice; and after making all allowances, the charge for domestic supply should not go beyond one anna under any circumstances. In 1937, Sir Nalini Ranjan Chatterjee as the Chairman of a Commission thoroughly enquired into the matter and recommended the reduction of the rate to two annas, to be further reduced to one anna later on. But from the rate-bill of the Calcutta Electric Supply Corporation, Sir, you can see what has happened since then. Now, as regards the management of the firm, many amazing reports have reached the public. I do not

know whether they are true or not; but I am stating the matter and should wait for a reply from the Hon'ble Minister as to whether these facts are correct or not. I am told that Mr. Duff, in charge of the Garden Reach Power Station, has been systematically persecuting Indian employees and has stopped their increments due this year. The employees protested but they were threatened with immediate dismissal. They appealed to the Agent but in vain. This Mr. Duff has become notorious for abusing and assaulting junior Indian officers. I would, therefore, request the Hon'ble Minister to go into the matter and let the House know whether this is correct or not. As regards the questions that I should like to put to the Hon'ble Minister, the first is: whether it is a paying concern making a huge profit or not; if so, will the Hon'ble Minister let us have his reasons as to why this contract should be renewed at all? Why should it not be nationalised in view of the fact that Bengal have on her shoulders a very serious deficit budget. An ordinary prudent man of business would have taken up a big industrial concern under its administration and made sufficient income out of it to relieve the distress of poor Bengal, particularly after the flood followed by famine and pestilence of an unusual dimension. But I know that these prodigal sons of Bengal only know how to waste money. I should like to know what is the policy that this Government would like to follow. If they fail to nationalise this important concern from the point of view of augmented revenues for the Government and from the point of view of good management and more employment for the children of the soil, I think they will be held responsible before the bar of public opinion. If they fail to help the Calcutta Corporation to municipalise this concern—if they fail to amend the relevant sections by which the Calcutta Corporation can raise loan and purchase this utility concern, I think there is no justification for their existence any more. With these words, Sir, I support the motion and I hope all conscientious members of this House will lend their support, irrespective of whether they sit here or there—to my right or to my left,—from the point of view of the best interest of Bengal. With these words, I whole-heartedly support the motion of my honourable friend Mr. Lalit Chandra Das.

Mr. BIREN ROY: Sir, the previous speaker first stated about nationalisation of the electricity concerns and then in the same breath referred to the municipalisation of the same concern. I believe in the municipalisation as distinct from nationalisation of such public utility concerns as Electric Supply undertakings, Tramways, etc.; but things as they stand at present show that the efficiency of the Calcutta Electric Supply Corporation will certainly be impaired if it is immediately taken over either by the present Government or by the Corporation of Calcutta, for it is difficult to judge which of them leads in the matter of incompetency and mal-administration. And certainly nobody wants a repetition of such episodes in public as the vaccination scandal. It is however undoubtedly necessary that such public utility concerns should be run in the interest of the people as a whole and the profits should at least be shared by the consumers. In this view of the matter, taking advantage of this adjournment motion, I would like to place before the consideration of the Government a concrete suggestion and that is this:—

That a Calcutta and Industrial Area Electricity Supply Board be formed with representatives of the Government, the present Board of Directors and representatives of the Corporation and the suburban municipalities in the districts of 24-Parganas, Howrah and Hooghly which this Electric Supply Corporation serves and then necessary arrangements be made so that the rate-prayers as well as the residents in these areas be allowed to invest up to a limited extent of 1 to 5 shares each, as was done when the Reserve Bank of India shares were floated; such Corporation would then be run as a co-operative profit-sharing society with the present company as Agent for a certain period of time. This will help in creating confidence of the

people in the management and efficient running of such concerns which also will directly benefit the consumers instead of benefitting the exploiting middlemen.

By this I do not mean that the provincialisation of all the electricity undertakings in Bengal should wait; but that the same line may be followed also in different urban areas so that private profiteering is replaced by co-operative profit-sharing by the consumers and also by a large number of persons inhabiting the urban areas.

The Hon'ble K. SHAHABUDDIN: Sir, I have listened to the debate with the greatest attention and I feel sorry to say that many irrelevant points have been introduced and most of the discussion is based on misinformation.

I may refer to one or two points mentioned by Mr. Haridas Mazumdar, about the rates and the ill-treatment of a particular Indian officer by a junior officer of the company. I do not think either of these things could arise in connection with the question of the nationalisation of the electrical undertaking which is under discussion just now. I was agreeably surprised to find Mr. Biren Roy speaking as a champion of the present company-management or in its place a management of some other kind other than Government, but I think he will have no support in the House. We have definitely stated our policy which is to nationalise all the electrical concerns. This policy was declared long ago by the then Minister in charge of Commerce, Hon'ble Mr. Suhrawardy, and the present Government also reiterates that decision. We stand by that decision and we are doing everything to achieve that object.

Now, Sir, I would very briefly explain the present position, as a lot of confusion and uneasiness seem to prevail in the mind of the members of the Opposition and the public. These are all due to their misinformation on the subject and I must tell them what is the position. The Calcutta Electric Supply Corporation supplies power over a very wide area extending from Barrackpore in the north to Budge Budge in the south on both sides of the river Hooghly by virtue of 14 different licences granted on various dates from 1907 to 1935. These licences include the usual option for purchase by the Provincial Government in accordance with the provisions of the Indian Electricity Act of 1903 and 1910. The dates on which the option can be exercised by Government are: (1) The first is October, 1948, for five licences——

Mr. SHRISH CHANDRA CHAKRAVERTI: What about the exercise of the option of purchasing the undertaking by the Calcutta Corporation?

The Hon'ble Mr. K. SHAHABUDDIN: If you like, I can deal with that question, but I do not think the question is relevant because, as has been admitted by Mr. Das, it is a debatable point whether the Calcutta Corporation have the right to exercise its option. As far as that question is concerned, Government have been advised that the Calcutta Corporation have not got the right to exercise its option, because that undertaking extends beyond the jurisdiction of the Calcutta municipal area——

Mr. LALIT CHANDRA DAS: On a point of personal explanation, Sir. I did not say that the Calcutta Corporation have not the right to exercise its option. I said that the Calcutta Corporation have got the right to purchase the undertaking so far as it relates to the area within the jurisdiction of the Calcutta Corporation.

The Hon'ble Mr. K. SHAHABUDDIN: I said that you admitted that it is a technical point and that there might be difference of opinion, and I told you that the Government have been advised that the Calcutta Corporation have not got the right.

As I was telling you, five of these licences will mature in 1948, seven in 1958, one in 1970 and one in 1980. The areas to which these licences

apply are served by three inter-connected generating stations—two, namely, cossipore and the southern, being situated in the municipal area in Calcutta licences for which were granted in 1907, and the third, namely, Mullajore, in the area of Bhatpara licence—1934. The two generating stations in the Calcutta municipal area are a part of the undertaking for the purpose of the purchase but the third in the Bhatpara area is excluded and is not liable to be purchased at any time. The effect of exercising the first five options in 1948 will be that an important section of the system containing the two power stations will pass on to the hands of the Government and the rest of the system including the third power station—Mullajore—will remain for the time being with the Calcutta Electric Supply Corporation. In view of its situation in the extreme north it is not conveniently placed for giving supplies to the areas for which the Corporation will still be responsible extending from the extreme north to the extreme south on both sides of the river Hooghly. The difficulties attendant on subdivision of the system are not insuperable but obviously it is more desirable from the point of view of the consumers as well as the public that the undertaking which has been built up for all practical purposes as one unit should remain as such and that Government acquire the complete undertaking by agreement with the Calcutta Electric Supply Corporation. The notice for exercise of the option of the purchase of the five licences maturing in 1948 need not be given until October, 1946, under the provision of the Indian Electricity Act. The demand for electric power is in the meantime increasing rapidly and it is essential in public interest that the system as a whole including the generating plants, the inter-connectors, sub-stations and the distribution net-work should be expanded. Government are accordingly considering the question of consolidation of the existing licences of the Calcutta Electric Supply Corporation to be in a position to acquire the complete undertaking by a specified date which will be in accordance with the Government's declared policy of nationalisation of the electric supply undertakings in the province——

Mr. LALIT CHANDRA DAS: When it is likely to mature?

The Hon'ble Mr. K. SHAHABUDDIN: Well, Sir, if Mr. Das will only have some patience, I will tell the House everything: as much as I can tell the House at the present moment. The purchase of the entire electricity undertakings at a specified date before the expiry of the last licence can be effected only by agreement between the Electric Supply Corporation and the Government and the basis on which the transfer of the complete undertaking will be effected would be clearly defined in the Agreement. The question arising out of the proposed purchase by Government and the conditions of a possible agreement are being examined in all their aspects and no final decision as to the exercise of the next option of purchase has yet been arrived at——

Mr. HARIDAS MAZUMDAR: On a point of information, Sir,——

The Hon'ble Mr. K. SHAHABUDDIN: Sir, I have not yet finished——

Mr. HARIDAS MAZUMDAR: If the Corporation of Calcutta stand on their own right——

The Hon'ble Mr. K. SHAHABUDDIN: I do not give way, Sir.

Mr. DEPUTY PRESIDENT: Well, if the Hon'ble Minister does not give way, I cannot help.

The Hon'ble Mr. K. SHAHABUDDIN: Sir, the question of the Calcutta Corporation coming in does not arise. I have already told the House that so far as the Government is concerned, it has been advised that in the present circumstances the Calcutta Corporation has not got the legal right

to exercise the option of purchase—that is one question. The second question is that so far as the Government are concerned, their policy is not municipalisation but nationalisation of all such concerns. Even if there had been any right on the part of the Corporation to exercise any such option, if I may quote my friend Mr. Biren Roy, I do not think any of my honourable friends here with the experience of the Calcutta Corporation before him, would be very much enthusiastic about allowing them to acquire such a big concern as the Calcutta Electric Supply Corporation. With regard to the point mentioned by the honourable mover of the motion that although the Government had stated in 1938 that their policy was a policy of nationalisation, yet no steps have so far been taken with this end in view, I would just inform the House that since 1938 Government have set up two enquiries through a very reputed firm and their first report was received at an earlier date. (Mr. SHRISH CHANDRA CHAKRAVERTI: What is the name of the firm?) Well, Sir, the name of the firm is Merz MacLellan & Co., a firm of the highest international reputation. Government received their latest report—I am not sure, I am speaking from memory—about 9 months or a year ago—and on that report Government have taken certain steps. I can assure the House of two things—that I am looking into this question about the exercise of option of purchase; as far as that is concerned, I have told the House that there are so many factors which have got to be taken into consideration; on that the date of the settlement depends. Negotiations are going on with the Government. It is not a question of the purchase of these 5 licences only but a question of the consolidation of all the licences at a specified date and therefore naturally the question of negotiation comes in. Beyond that I do not think it will be in the public interest for Government to give any indication. So far as the report of the Electricity Sub-Committee of the Post-War Reconstruction Committee is concerned, I do not think it has been quoted correctly. As far as I remember, that Committee recommended that it should be 1958 and in any case should not be much beyond 1958. That was the opinion that the Electric Supply Corporation gave us. In any case, I give this assurance to the House that as a result of the present examination Government have reached certain tentative conclusions and the Corporation's reaction to them is awaited. I can however assure the House that if any satisfactory agreement is not reached in the near future, Government will not hesitate to exercise the option in 1948 and acquire that part of the undertaking which is governed by it.

Mr. HARIDAS MAZUMDAR: On a point of information, Sir. If the Corporation stands on their own rights, are the Government prepared to help them to municipalise that part of the undertaking which is under their jurisdiction and whether Government will be prepared to amend the relevant sections of the Calcutta Municipal Act to allow them to raise loans on their own behalf?

The Hon'ble Mr. K. SHAHABUDDIN: I submit, Sir, that that question is not relevant. But to satisfy my friend, Mr. Mazumdar, I may inform the House that it is the policy of the Government to nationalise the concern and not to municipalise it.

Mr. LALIT CHANDRA DAS: In view of the assurance given by the Hon'ble Mr. K. Shahabuddin, Minister in charge of Commerce and Industry, to the effect that if the Calcutta Electric Supply Corporation do not come to any satisfactory agreement, Government will not hesitate to exercise the option in 1948, I do not think any useful purpose will be served by pressing my motion. I, therefore, beg leave of the House to withdraw it.

Mr. DEPUTY PRESIDENT: Is it the pleasure of the House to permit Mr. Das withdraw his motion?

VOICES: Yes.

(The motion was then, by leave of the House, withdrawn.)

Mr. DEPUTY PRESIDENT: The House stands adjourned till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Wednesday, the 21st February, 1945.

Members Absent.

The following members were absent from the meeting held on the 20th February, 1945:—

(1) Khan Bahadur Naziruddin Ahmed,
(2) Mr. S. Ahmed,
(3) Mr. K. Baksh,
(4) Rai Bahadur K. C. Banerjee,
(5) Mr. H. R. Chowdhury,
(6) Mr. R. W. N. Ferguson,
(7) Mr. Humayun Kabir,
(8) Maulana Mohd. Akrum Khan,
(9) Mr. N. N. Moholanabish,
(10) Mr. N. N. Mookerji,
(11) Mr. B. C. Mukherji,
(12) Dr. K. S. Ray,
(13) Mr. S. N. Sanyal, and
(14) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-37A-760

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 4.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 21st February, 1945, at 1-30 p.m., being the fourth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the chair.

QUESTIONS AND ANSWERS

Congestion in the tramways.

43. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) what steps, if any, the Government have taken to cope with overcrowding of the tramcars of Calcutta as promised on a previous occasion;

(*b*) what steps, if any, the Government have taken to persuade the Company to issue transfer tickets at an early date;

(*c*) in view of the present serious situation if the Government can see their way to ask the Company to provide for at least two extra seats for ladies in each car as the ladies' seats are always utilised by men when ladies are not in and never go vacant; and

(*d*) if the Government propose to take immediate steps in this connection if not already taken?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Mr. Barada Prasanna Pain): (*a*) I am informed by the Tramway Company that every tramcar capable of service has been put on the road, and that 30 new cars are on order but delivery is being delayed owing to priority difficulties. The Company assures us that every attempt is being made to get out as much rolling stock as possible.

(*b*) The matter was taken up with the Tramways Company early last year and the Company examined the feasibility of re-introducing the system of transfer tickets in some form towards the end of last year. The Company now reports that in view of the following circumstances, viz., (*a*) overcrowding which makes it difficult for conductors to carry about a large number of transfer tickets of different routes, (*b*) absence of a sufficient number of trained conductors due to discharge, resignation and other reasons, and (*c*) difficulty in the manufacture of tickets on account of an acute shortage of paper and dearth of ticket printing machines in Calcutta, it would not be possible for them to re-introduce the system, so long as the present conditions continue. Re-issue of transfer tickets will hardly result in any relief in the matter of overcrowding. It may on the contrary increase unnecessary travel and lead to more overcrowding. I am informed that the Company have introduced a discount ticket system, the use of which may result in some benefit to Tramway passengers.

(*c*) I am informed that the Company have arranged to provide two additional seats for ladies on certain routes experimentally and that if this becomes popular, the provision will be extended.

(*d*) In view of replies to (*a*), (*b*) and (*c*) no further action appears necessary at present.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state when this reply was drafted?

The Hon'ble Mr. BARADA PRASANNA PAIN: The draft was prepared sometime ago but it was approved by me quite recently.

Mr. HARIDAS MAZUMDAR: I want to know the date.

Mr. DEPUTY PRESIDENT: Perhaps you have not listened to the last portion of the Hon'ble Minister's reply, namely, that the draft had been approved by him quite recently.

Mr. HARIDAS MAZUMDAR: With reference to the reply in (*a*), namely, "I am informed by the Tramway Company that every tramcar capable of service has been put on the road, and that 30 new cars are on order but delivery is being delayed owing to priority difficulties", may we know what is the state of affairs just at the present moment?

The Hon'ble Mr. BARADA PRASANNA PAIN: It is difficult for me to say that; but as I understand, every effort is being made to get them out as soon as possible.

Mr. BIREN ROY: What is the total number of cars running on the tramways in Calcutta?

The Hon'ble Mr. BARADA PRASANNA PAIN: I want notice.

Mr. BIREN ROY: I want to know whether the increase of 30 new cars will relieve the hardships of the public?

The Hon'ble Mr. BARADA PRASANNA PAIN: That is a matter of opinion. I am not quite sure that the addition of 30 new cars will not solve the present difficulties.

Mr. HARIDAS MAZUMDAR: With reference to the last sentence of the reply in (*b*), namely, that "I am informed that the Company have introduced a discount ticket system, the use of which may result in some benefit to Tramway passengers", will the Hon'ble Minister please let us know what the discount ticket system is?

The Hon'ble Mr. BARADA PRASANNA PAIN: If the honourable member refers to his neighbour who is the Agent of the Tramway Company, he will at once know that.

Mr. HARIDAS MAZUMDAR: It is very awkward that the Hon'ble Minister who gives the reply does not know what the significance of this is.

The Hon'ble Mr. BARADA PRASANNA PAIN: I may say, Sir, that I do not know anything about it.

Mr. HARIDAS MAZUMDAR: In view of what is stated in the replies in (*a*) and (*b*), am I to understand that by this overcrowding the Company is making fabulous profits?

The Hon'ble Mr. BARADA PRASANNA PAIN: It is difficult for me to say that.

Mr. HARIDAS MAZUMDAR: Do the Government propose, under these circumstances, to ask the Company to reduce the fares in the interests of the poor people of Calcutta?

The Hon'ble Mr. BARADA PRASANNA PAIN: I understand that all concessions given by the railways have since been withdrawn. Therefore, I see no reason why I should ask the Tramway Company to make concessions.

Producers' Co-operative Societies.

44. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether the Government propose to initiate, encourage and help Producers' Co-operative Societies in Bengal?

(*b*) If not, why not?

Mr. K. C. ROY CHOWDHURY PARLIAMENTARY SECRETARY, (on behalf of the Hon'ble Mr. Jogendra Nath Mandal): (*a*) Yes.

(*b*) Does not arise.

Mr. BIREN ROY: What progress has already been made in the matter of initiating the Producers' Co-operative Societies?

Mr. K. C. ROY CHOWDHURY: I suppose the Government is encouraging these Producers' Co-operative Societies by explaining to them the rules and regulations under which the Co-operative Societies in Bengal work.

Mr. BIREN ROY: Would "explaining the rules" help them?

Mr. K. C. ROY CHOWDHURY: They cannot create shops themselves.

Maintenance of a Central Hospital and a Modern Publicity Motor Van by the Asansol Mines Board of Health.

45. Rai Sahib JOGENDRA NATH RAY: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if the Government consider that a well-equipped Central Hospital and a Modern Publicity Motor Van are to be maintained by the Asansol Mines Board of Health for the welfare of the miners for whom this Board is mainly constituted? If so, what immediate action do the Government propose to take?

Mr. K. C. ROY CHOWDHURY, PARLIAMENTARY SECRETARY, (on behalf of the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): Proposals have recently been submitted by the Asansol Mines Board of Health to the Coal Mines Welfare Commissioner for a Central Hospital with a chain of regional hospitals and also for a motor publicity van for the welfare of the miners to be financed from the Miners' Welfare Fund. These are under examination of the local officers.

Rai Sahib JOGENDRA NATH RAY: Will the Hon'ble Minister please state when these proposals have been submitted?

Mr. K. C. ROY CHOWDHURY: We have no other information besides what is disclosed here.

Rai Sahib JOGENDRA NATH RAY: It is stated in the reply that "these are under examination of the local officers". Will the Parliamentary Secretary please say how long they will take to examine these matters?

Mr. K. C. ROY CHOWDHURY: I suppose they will deal with the matter as quickly as possible.

Mr. DEPUTY PRESIDENT: Questions over.

Mr. HARIDAS MAZUMDAR: Sir, before you take up any other matter, may I bring forward a very urgent matter?

Mr. DEPUTY PRESIDENT: Do you refer to your adjournment motion?

Mr. HARIDAS MAZUMDAR: Not exactly that, Sir. Before the adjournments motions are taken up, I would like to rise to a point of information. Members of this House may have read in today's papers that

a security prisoner, Mr. Satindranath Sen, went on hunger-strike owing to the callousness of Government in the matter of their treatment of six T. B. political prisoners——

Mr. DEPUTY PRESIDENT: Order, order: What are you referring to? I have now got to take up the adjournment motions.

Mr. HARIDAS MAZUMDAR: Yes, Sir, I know that. But before you take up that business, I was asking for some information.

Mr. DEPUTY PRESIDENT: I cannot allow you to do that. I must take up adjournment motions now.

Adjournment Motions.

Mr. HARIDAS MAZUMDAR: I have got an adjournment motion standing in my name.

Mr. DEPUTY PRESIDENT: I have received notice of an adjournment motion from Mr. Haridas Mazumdar which runs as follows:—

> "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the failure of the Government of Bengal to fix the minimum price of raw jute in proportion to the statutorily fixed price of hessian at a time when the jute acreage for the next crop is being determined."

Mr. HARIDAS MAZUMDAR: Sir, I want to move this adjournment motion in the interest of the jute-growers of Bengal, and criticise the way in which the department in charge of the agriculture of Bengal is working——

Mr. DEPUTY PRESIDENT: Mr. Mazumdar, before you proceed further, please let me see if the motion is in order. You want to discuss a matter which I am afraid is not the concern of the Provincial Government.

Mr. HARIDAS MAZUMDAR: It deals with jute and jute is a provincial subject.

Mr. DEPUTY PRESIDENT: Yes, but your motion refers to the fixation of the minimum price of raw jute. On enquiry it appears that the price of raw jute was fixed not by the Bengal Government but by the Government of India.

Mr. HARIDAS MAZUMDAR: But it must have been done in consultation with the Provincial Government.

Mr. DEPUTY PRESIDENT: It appears that the price has been fixed under the Defence of India Rules by the Central Government——

Mr. HARIDAS MAZUMDAR: But the blame attaches to the Government of Bengal for not having advised them in accordance with the needs of the province.

Mr. DEPUTY PRESIDENT: How do you know that?

Mr. HARIDAS MAZUMDAR: I know that, Sir.

Mr. DEPUTY PRESIDENT: I would request the honourable member to have some patience and listen to me first before he tries to explain his motion. Will he please explain how he fixes the responsibility on the Provincial Government?

Mr. HARIDAS MAZUMDAR: Sir, in this matter it is the duty of the Provincial Government to advise the Central Government on what lines they should proceed in the best interest of the province and if this Government will come forward with a statement showing clearly that what they

have done is in the best interest of the province, then only an adjournment motion of this nature will not be necessary. But surely the Provincial Government play a very important part in deciding these things. This Government were surely invited by the Central Government to state their views; but what transpired there we do not know and we want to know that. If, therefore, the Government are prepared to come forward with a statement, then only I would not press my motion.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: May I say in the absence of the Hon'ble Minister in charge of the subject that these matters were discussed between the Government of India and the Government of Bengal? I myself happened to be present at one of those discussions in January this year; but I am not in a position without the necessary papers to say just now as to what exactly happened then. This is a matter of adjustment between the Government of India and the Government of Bengal and I believe that as a result of the conversations some satisfactory solution has been arrived at.

Mr. HARIDAS MAZUMDAR: If they come forward with a fuller statement later on, I would not press my adjournment motion. But it is no use saying that we should co-operate and this and that. How could we draw the attention of the Government unless we do so by adjournment motion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In the first place, this adjournment motion is out of order because it is only a matter of opinion as to whether a parity price of jute has been fixed or not. (Mr. SHRISH CHANDRA CHAKRAVERTI: But is a fact.) The Government of Bengal did their best to secure the interest of the jute-growers of Bengal. In a discussion in which the Government of India has the supreme authority, the Government of Bengal must abide by their final decision——

Mr. HARIDAS MAZUMDAR: But you should explain your conduct whether or not——

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We tried our best to secure for the jute-growers of Bengal a better price; but we had to yield at last to the final decision of the Government of India.

Mr. HARIDAS MAZUMDAR: I am not censuring the Government of India. What I and the members of this House want to know is: what this Government has done with regard to fixing the price of jute in consultation with the Government of India. I know that was a *purdah* discussion, but we have every right to know what part the Government of Bengal played to safe-guard the interests of the jute-growers of Bengal. If we are shut out from knowing this, I do not know what will happen in future. They ask for our co-operation. But if they want us to do so, they should come forward with a statement to the satisfaction of this House and through it of the public at large.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I may say, Sir, that it was not a public meeting. It was a private discussion between members of the Government of Bengal and the Government of India. So it is not possible, without the permission of the Government of India, to disclose this matter. All that we can say is that we tried our best to secure the interest of our jute-growers. More than that we are not in a position to state, because it is a matter in which the Government of India is vitally interested.

Mr. HARIDAS MAZUMDAR: May I request the Hon'ble Leader of the House to secure the permission of the Government of India—(although I know that no permission is necessary in this respect)—and make a statement.

Mr. HAMIDUL HUQ CHOWDHURY: May I enquire whether the decision was taken by the Government of Bengal or the Government of India?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The Government of India.

Mr. HARIDAS MAZUMDAR: What is the decision of the Government of India with regard to this problem?

Mr. HAMIDUL HUQ CHOWDHURY: Was the decision of the Government of India dependent on the Government of Bengal?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly not. We have had to depend on the Government of India entirely in the matter.

Mr. HARIDAS MAZUMDAR: We are not interested to know whether it was accepted by the Central Government or not, and I am not censuring the Central Government. I want to know what was the suggestion of the Ministry here.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN; That is confidential. We have taken certain decision in the Cabinet on this matter and we cannot disclose it.

Mr. HARIDAS MAZUMDAR: We want to know whether the Provincial Government took any decision in the matter.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN; It cannot take any decision in the matter. As I have already said, we have tried our best to secure better prices for jute. But the Cabinet decisions are——

Mr. HARIDAS MAZUMDAR: I do not care for your Cabinet decision. But we are entitled to know what attempt was made to help the jute-growers.

Mr. DEPUTY PRESIDENT: Order, order. I have heard both sides and I find this motion not in order.

The next adjournment motion of Mr. Haridas Mazumdar runs as follows: "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the failure of the Government of Bengal to stem the tide of epidemics of cholera, small-pox and malaria in the province taking a huge toll of lives after disastrous famine of 1943."

With regard to this adjournment motion, I may inform the House that the Hon'ble President withheld his consent.

Mr. HARIDAS MAZUMDAR: But he is not present here now.

Mr. DEPUTY PRESIDENT: He had passed orders before he left for London.

Mr. Mazumdar, your next motion has also been disallowed by the Hon'ble the President.

Mr. HARIDAS MAZUMDAR: I beg to move the next one which runs as follows: "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the failure of the Government of Bengal to grant suitable maintenance allowance to the dependants of the security and State prisoners detained without a trial when prices of necessaries of life are running abnormally high."

Mr. DEPUTY PRESIDENT: Can you satisfy me that this matter is of recent occurrence?

Mr. HARIDAS MAZUMDAR: Yes, Sir, because it is of a continuing nature and it is a very urgent matter of public importance. We are all interested in it, so also are the families of these people who are practically the servants of the country. If you do not hold this to be an important matter, I do not know what is important. This Council is the product of the sufferings and sacrifices of those people who are in the prison now and these Hon'ble Ministers are reaping the benefits of their efforts.

Mr. DEPUTY PRESIDENT: Mr. Mazumdar, if the rules allow a discussion of this motion, I have no objection. If it is a continuing grievance, then it cannot be discussed as an adjournment motion. I want to know whether there is any new feature in your motion.

Mr. HARIDAS MAZUMDAR: Sir, the prices have gone up abnormally within the last two or three months. At that time there was no session, and so we had no other alternative but to come before you in the beginning of this session. I maintain, Sir, that it is a very important matter and of recent occurrence.

Mr. DEPUTY PRESIDENT: I should like to hear the Government point of view.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, this is a Budget Session, and only the budget should be discussed. Of course, in that connection, this subject may very properly be mentioned. If the subject is of a continuing nature, then it is all the more reason why it should not be regarded as either urgent or of recent occurrence. As a matter of fact, this matter can be raised while discussing the budget.

Mr. DEPUTY PRESIDENT: Now that objection has been raised, does Mr. Mazumdar still press for it?

Mr. HARIDAS MAZUMDAR: Yes, Sir.

Mr. DEPUTY PRESIDENT: Then I would request the honourable members who are in favour of the motion to rise in their seats.

(Less than 13 members rose in their seats.)

Mr. DEPUTY PRESIDENT: As less than 13 members have stood, I take it that the honourable mover has not the leave of the House.

The next motion stands in the name of Mr. Bankim Chandra Mukherji, but as he is not present here it falls to the ground. The next motion also stands in his name. Therefore, it also falls to the ground.

The next motion stands in the name of Mr. Haridas Mazumdar. It runs thus:—

> That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the failure of the Government of Bengal to recommend to the Central Government the release of the political prisoners, particularly of the members of the Legislature enabling them to take part in the Budget Session.

Do you press for it, Mr. Mazumdar?

Mr. HARIDAS MAZUMDAR: No, Sir. I do not.

Mr. DEPUTY PRESIDENT: The next motion stands in the name of Mr. Lalit Chandra Das which runs as follows:—

> That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation which has arisen out of Government's failure to arrange for supply of cloth, the scarcity of which has now reached its zenith causing intense distress to the people of this Province.

Do you press your motion?

Mr. LALIT CHANDRA DAS: Yes, certainly.

Mr. DEPUTY PRESIDENT: Will you first of all satisfy me that it is the concern of the Provincial Government?

Mr. LALIT CHANDRA DAS: As there does not seem to be any objection, is it necessary for me to justify my motion?

Mr. DEPUTY PRESIDENT: It is not a question of consent or opposition. The Chair must be satisfied that a motion is in order.

Mr. LALIT CHANDRA DAS: Sir, my motion relates to Government's failure to make arrangements for supply of cloth which includes distribution thereof. The Government of India have their own Textile Commissioner, who fixes a certain quota of cloths for the provinces, and I do not fix any responsibility for that on the Government of Bengal. The quota has been fixed by the Central Government, although it is only 10 yards for Bengal per head while it is 18 yards per head in the provinces of the Punjab and Bombay. For this I do not hold the Provincial Government responsible but I do hold them responsible for failure to make arrangements to get their quota in full and to have them properly distributed in the localities which stand in need of them. Look to the wording of my motion, Sir. The words are "failure to arrange for supply of cloth" to meet the ever-increasing needs of the people. Therefore, it is the primary responsibility of the Government to make arrangments for supply, which includes distribution, of whatever cloth they have at their disposal; and since they have failed to do so, I have brought forward this motion. This part of my motion does not at all concern the Central Government.

Mr. DEPUTY PRESIDENT: Would you please specifically explain what is the responsibility of the Provincial Government which they have failed to discharge?

Mr. LALIT CHANDRA DAS: All right, Sir. First of all, the Provincial Government failed to obtain their full quota; and in the second place, they failed to get the quota properly distributed to the different centres so that the people might get them. This surely is within the responsibility of the Government of Bengal and this the Government have failed to discharge. That is my motion, Sir. I do not say that the Central Government have not the right or the responsibility to fix the quota of cloth etc. I perfectly agree with the view that so far as the fixation of the quota is concerned, it is the duty and responsibility of the Government of India and that the Government of India have, in consultation with the Government of Bengal, fixed the quota for Bengal at ten yards per head,—a very inadequate quantity—although for Bombay and the Punjab they have fixed the quota at 18 yards per head. That is a grievance which we have against the Government of India but I do not voice it here. What I do press in my motion is that part of it which is concerned with the primary reponsibility of the Provincial Government, namely, to see to it that whatever cloths could be had from the Central Government are properly distributed to the different centres to meet the needs of the people; they have not done so, whereas on the contrary all the cloths have gone to the black-market which they have failed to control. That is why I have brought this motion. I have carefully worded my motion to the effect that Government have failed to make arrangements for supply, etc. In that view of the matter, I submit that the motion is in order.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I may say that the motion as it stands on paper is quite different from the explanation that has just now been given by the honourable member. He does not say anything about distribution in his motion; he only speaks of supply and scarcity, which is due entirely to the action of the Government

of India. If it were only a question of defect in the distribution of the quota obtained by this Government, then, of course, the motion would be in order.

Mr. LALIT CHANDRA DAS: I have said "Supply" which includes distribution.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN; No, Sir, he speaks of supply and scarcity.

Mr. SHRISH CHANDRA CHAKRAVERTI: But, Sir, does not distribution come under supply, specially in view of the statement made by the Hon'ble Commerce Member of the Government of India who fixed some amount of responsibility on this Government as well?

Mr. HARIDAS MAZUMDAR: Sir, by the conduct of the present Ministry the black-market has been created and that has to a great extent been responsible for the cloth famine.

Mr. DEPUTY PRESIDENT: Although it appears that the adjournment motion is not very happily worded, yet I would not stand in the way of the honourable member if he gets the leave of the House. I would, therefore, request those members who are for the motion to rise in their places.

Mr. LALIT CHANDRA DAS: Sir, as there seems to be no objection, is there any necessity for members to rise in their places?

Mr. DEPUTY PRESIDENT: Surely the Hon'ble Minister raised an objection!

Mr. SHRISH CHANDRA CHAKRAVERTI: But why should the Hon'ble Minister fear a discussion of this point?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN; As I have said, if we had failed to distribute the quote of cloths properly, then we would not have objected but we have not done that.

Mr. DEPUTY PRESIDENT: Order, order.

As the requisite number of members has not risen, I take it that leave is not granted.

Mr. HARIDAS MAZUMDAR: Sir, with reference to my enquiry regarding Mr. Satindra Nath Sen, who has gone on hunger-strike, I would request the Leader of the House to make a statement—

Mr. DEPUTY PRESIDENT: That is a unique procedure which I cannot allow.

Mr. HARIDAS MAZUMDAR: That is the convention here and I would be satisfied if the Hon'ble Leader of the House makes a statement on the subject.

Mr. DEPUTY PRESIDENT: At this stage I cannot allow discussion of any subject which is not included in the Order Paper.

Mr. HARIDAS MAZUMDAR: Then afterwards, I shall move in the matter today.

Mr. DEPUTY PRESIDENT: If time permits.

Statement of action taken on Resolution adopted by Council.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, may I make a statement of action taken on a resolution of Mr. Haridas Mazumdar which was passed by this House?

Mr. DEPUTY PRESIDENT: Yes.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, in accordance with the provisions of sub-rule (*2*) of rule 95 of the Bengal Legislative Council Procedure Rules I have the honour to place for the information of the Council the following statement regarding the action taken by the Government on the resolution regarding census of the destitutes and the unemployed, that was passed by the Council at its meeting held on the 10th March, 1944:—

Government recognise that it would be of material help to have an economic survey of the whole province, house by house; but as this is not practicable at present arrangement has already been made to have a random sample survey of the economic condition in the distressed villages of this province through the Indian statistical Institute by paying a grant-in-aid not exceeding Rs. 25,000 to the institution. The survey will be conducted in about 600 villages selected at random in the distressed subdivisions of the province, with a view to find out the degree and extent of destitution, the classes of people who have suffered and the way in which they have suffered as also the estimated requirements for their relief and rehabilitation.

Report in hand from the Indian Statistical Institute shows that about 65 villages are being surveyed per month and that the analysis of the data already received is in progress. A model report on one or two subdivisions is expected shortly.

Mr. HARIDAS MAZUMDAR: Sir, I had the honour to move this resolution which was passed by this House. Now I find that practically the Resolution which was passed in this House is being sabotaged and only a random survey here and there is being made to the satisfaction of the Hon'ble Minister and that will take the place of the Resolution—

Mr. DEPUTY PRESIDENT: What are you driving at? There is no scope for discussion on this statement.

Mr. HARIDAS MAJUMDAR: Is it not open for discussion?

Mr. DEPUTY PRESIDENT: No.

Presentation of the Appropriation Accounts and Finance Accounts for 1942-43.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, incompliance with section 109 of the Government of India Act, I beg to lay before the Bengal Legislative Council the Appropriation Accounts and the Finance Accounts for the year 1942-43 together with the Audit Reports thereon. In the absence of the Auditor-General's report this could not be presented earlier.

The Bengal Legislative Chamber (Member's Emoluments) Amendment Bill, 1944, as passed by the Assmbly.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to move that the Bengal Legislative Chamber (Members' Emoluments) Amendment Bill, 1944, as passed by the Assembly, be taken into consideration.

Sir, this is a very simple Bill. It seeks to enhance the emoluments of the members of the Legislature. This is no occasion for heroics. After all, it was felt that in view——

Mr. BIREN ROY: On a point of order, Sir. We have not yet been at least informed whether there is going to be a Public Accounts Committee of this Council. Therefore, what is the use of the presentation of the Appropriation Accounts?

Mr. DEPUTY PRESIDENT: Before I adjourn the House today, I shall make a statement on this point. Yes, Mr. Goswami.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: As I was saying, it was felt by Government that members' emoluments should be increased in view of the prevailing higher cost of living. It is not contended that the emoluments given to the members of the Legislature are any measure of the valuable services they render, nor are they in many cases anything like a compensation for the losses that some of them may sustain in attending meetings of the Legislature. It will be remembered that payment of salaries was introduced in the British House of Commons after the advent of the Labour Party. Before that it was considered *infra dig* for M.P.'s to accept a salary. But the principle is this, that members of a Legislature have high responsibilities and it is the duty of the Government and therefore of the people to enable them to discharge those duties. It is surely not crime not to be a rich man and some of the members of the Legislature may not be in a position to regularly attend the meetings of the Legislature without some pecuniary assistance from the State. After all, the emoluments now admissible to the members of the Legislature are not very high; nor would the proposed enhancement make them very high. It is just to enable those honourable members who might require assistance to discharge their duties that this enhancement has been proposed.

I hope there will be not much discussion on this subject. I am reminded of the famous letter of Edmund Burke to his constituents in which he said that it would be his duty to "magnify the office" on being returned to the House of Commons. It is only meet and proper that we should see that members of the Legislature in coming away from their homes and spending a lot of time in this expensive city of Calcutta are not compelled to be under any obligation to friends and relations, and that they should, at any rate, be able to discharge their duties without any sense of obligation. That is the only purpose of this Bill, and that was the purpose of the original enactment which fixed the emoluments of members. The enhancement is really very small, and I think it is only right and proper that we should take into account the increased cost of living in Calcutta.

Dr. DEPUTY PRESIDENT: Motion moved: That the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, as passed by the Assembly, be taken into consideration.

Mr. KAMINI KUMAR DUTTA: Sir, I rise to oppose the motion for taking the Bill into consideration. In doing so, I propose to begin by referring to what the Hon'ble the Finance Minister has just now said quoting the speech of Mr. Edmund Burke that when he entered the precincts of the Legislature he said that he would "magnify" the office. If magnifying the office would simply mean earning more, I will not agree with the Hon'ble Finance Minister, and certainly that was not in the mind of Mr. Burke. Of course, I may say that this Bill is in tune with the idea prevailing at the present time all around. At present inordinate greed is rampant among all sections of the people in the country, and there is a desire for profit by means fair or foul. This Bill is consistent with that spirit. But we should remember that we, the members of the Legislature, are not wage-earners. Before we did take the responsibility of representing our countrymen here, we must have realised that it is not a place where we go for earning, it is not a place for making profit: but that it is a place where we go to serve; and when the question of service comes to our mind we must be prepared for any sacrifice that may be demanded of us. I agree with the Hon'ble Finance Minister when he says that the increase in the emoluments proposed in this Bill is not very high. But it is not the question of the quantum of increase that really matters. It is a question of the principle involved. Already there is a craze for augmenting one's earning by any means, no matter whether by black-marketing or by profiteering or by killing one's countrymen. The members of the Legislature ought to set their face against all these tactics and agree not to have their salaries increased. The people will point their fingers towards us and

say: after all, you are also after the same game, you are also anxious to earn more at the expense of the famished and starving rate-payers. So, in order to keep the standard of our ideology quite high, we should set an example before the country by unanimously opposing this proposition for increasing the salaries of the members of the Legislature. In this connection, I have to acknowledge most painfully the fact that various reports are in circulation saying that persons who had come here for serving the country are adding to their coffers by nefarious means taking advantage of their position as members of some important committees. I say that these are mere reports but reports which are perhaps not baseless. In view of these allegations, it would be a shame and disgrace to be a party to increase one's own salary. This is not a place where we have come to add to our bank balance, this is not a place where we have come to earn our pounds and shillings. Here we have come to serve our countrymen and to serve the country; and if in the course of this service we have to undergo privations, we must be ready for them. Before members undertook this responsibility, they had certainly decided that they must shape their standard of living in such a manner that they may live on a small income and devote their whole time and energy in tackling the problems confronting the country. So, on principle, I oppose the passing of this Bill and also oppose the motion for consideration of the measure. Indeed, as I said at the commencement of my speech there seems to be an idea in the country that we are out here to make profiteering. Often we hear of black-market, and of unconscionable profiteering; but if we, being members of the legislature, lend our support to such measures for increasing our own emoluments, people may come down upon us and say "here you are openly increasing your earnings, and are profiteering by direct means. Others may be profiteering behind our backs but you are 'open black-marketeers', because you have the power to legislate for it, and therefore you have thought it fit to increase your own emoluments." I would appeal to all to consider the matter from that angle of vision, and not to consider it from the aspect that, after all, the burden on the Exchequer entailed thereby would not be very heavy. Let them recall to their mind the promise which they gave to their constituencies when they entered the legislature that they were going to the Legislature to serve their countrymen and not to "serve" their own porkets. So, I would repeat that I oppose this motion on principle and may say that members of Legislatures should not convert themselves into dirty wage-earners but should set an example to the world that they are ready to serve,—whether there may be any earning or not in such service and suffer any amount of privation. Sir, I hear some grumblings on my right. I know that there is nowadays enough money on that side but let us not be lured by that. There may or may not be opportunities to earn a fortune but perhaps the country will not forget or forgive them when the time will come.

Mr. K C. ROY CHOWDHURY: Sir, I am not speaking as a member of the Government but in my individual capacity. May I refer to the expression "dirty wage-earners" which if I mistake not was used by the Leader of the Opposition—

Mr. KAMINI KUMAR DUTTA: The expression used by me was that "we should not convert ourselves into dirty wage-earners".

Mr. HARIDAS MAJUMDAR: Sir, my leader has stated the position of the Opposition very clearly. He has also pointed out that the policy and the machinery of the present Ministry has been directed towards some objects which are not at all desirable. Example is better than precept. Today I find that we have lost one of our friends from this side and is now a Parliamentary Secretary—that is the way the present Ministry is strengthening their group every day. This is not the proper way to strengthen the party; there ought to be some other way. We should not come here to make money. With these words, I oppose the motion.

Alhadj Khan Bahadur SHEIKH MUHAMMAD JAN: Sir, I also oppose this motion. In view of the present economic condition and when there is a huge deficit in the Bengal budget, we cannot afford to imitate other provinces who are prospering. In the Punjab, they have increased the salary of members because that province is much better off. But we cannot afford to increase the salaries of the members. So I oppose the motion and I hope that other members also will not support this measure.

Mr. BIREN ROY: Sir, I do not want to say much. I may only add that it is a tactless move on the part of the majority party to bring this Bill. It shows that having got all the means in their power, they are using them to finance their party and party-men. What is the use of this additional fifty rupees It is really insulting the members. It was not at all necessary. It is a vote-catching measure and as such it should be refused by the House.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, I do not suppose there is any need for a reply. The honourable leader of the Opposition spoke about "wage-earners" and said that the members of the Legislature should not be looked upon as "dirty wage-earners". First of all, I may say that I did not call them "wage-earners". As a matter of fact, I prefaced my remarks in moving for consideration of this Bill by saying that the proposed enhanced emoluments do not represent an adequate compensation for the valuable work they do, and that they cannot be measured in terms of money. The principle behind the Bill is that people should not by reason of their pecuniary inability be prevented from adequately discharging their responsibilities. They may be true representatives but at the same time it is not always possible for everybody, even if he is a very worthy person, to discharge his duties as a legislator in Calcutta. That is all that I have got to say, except that it is open to honourable members not to draw the salaries for their own use (laughter from the Opposition Benches). I am not joking, because I have known members of this Legislature who devoted their salaries to good causes. In fact, they ear-marked their salaries for charitable and public purposes. In the last resort, honourable members of the Opposition can always preserve their self-righteousness by saying that the increased emoluments were forced upon them by a wicked Government.

Mr. DEPUTY PRESIDENT: The question before the House is that the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, as passed by the Assembly, be taken into consideration.

(The motion was agreed to.)

Clause 1.

Mr. DEPUTY PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is: that clause 1 stand part of the Bill.

(The motion wass agreed to.)

Clauses 2 and 3.

Mr. DEPUTY PRESIDENT: Clauses 2 and 3 stand part of the Bill.

The question before the House is: that clauses 2 and 3 stand part of the Bill.

(The motion was agreed to.)

Title and the Preamble.

Mr. DEPUTY PRESIDENT: The Title and the Premable be added to the Bill.

The question before the House is: that the Title and the Preamble be added to the Bill.

(The motion was agreed to.)

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to move that the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, as settled in the Council, be passed.

I do not think another speech is necessary.

Mr. DEPUTY PRESIDENT: Motion moved: That the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1944, as settled in the Council, be passed.

The question before the House is: that the Bengal Legislative Chambers (Members' Emolumments) Amendment Bill, 1944, as settled in the Council, be passed.

(The motion was agreed to.)

Public Accounts Committee.

Mr. DEPUTY PRESIDENT: Before I adjourn the House, I want to make a statement regarding the Public Accounts Committee of this House as I promised to do day before yesterday, but I am afraid I am not in a position to make a statement to-day which may be considered very useful to the House. To make a full statement I shall have to make a careful study of a huge file which had been started as far back as in 1940. Then it may be necessary to have a thorough discussion with the Hon'ble the Finance Minister and possibly with the Hon'ble the Speaker as well which will require time and which is not possible before the commencement of the general discussion of the Budget to-morrow. The Hon'ble Finance Minister is under heavy pressure of business and is unable to spare time in the midst of the budget session. As a result of a cursory glance at the file, it appears that strenuous efforts have been made in the past on behalf of this Council for a Public Accounts Committee of this House and lots of correspondence have passed between the successive Presidents of this House and the Government over this subject but to no effect. At the present moment I am not clear within my mind as to what step should be taken now to acquire this valued right and privilege. I want to invite the leaders of different groups to meet together in my chamber where the subject may be discussed threadbare and if possible a final decision may be arrived at as to what should be our attitude henceforward.

Mr. SHRISH CHANDRA CHAKRAVERTI: May I enquire where the obstacle lies?

Mr. DEPUTY PRESIDENT: This House thinks that it is perfectly within the right of this House to have either a separate Public Accounts Committee or a Joint Committee where this House will be represented. But the Government is in difficulty, and I cannot fully explain the nature of its difficulty, because I have had no full discussion with the Hon'ble Finance Minister. I think in this matter the Hon'ble Finance Minister may enlighten the House on this point.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, a few days ago I said in this House that I was prepared to make a statement showing what has happened so far in this matter. There is no question of a decision of the Government of Bengal in this matter, because in the matter of a Public Accounts Committee of the Bengal Legislative Council there is this insuperable difficulty that neither the Bengal Legislative Council nor the Government of Bengal can compel the Accountant-General to be present at the meetings of such a Committee. He is not under us, and you cannot have a Public Accounts Committee functioning without the assistance of the

Accountant-General and his staff. I do not know if any of the honourable members here had anything to do with a Public Accounts Committee either of the Bengal Legislative Assembly or of the Central Assembly, and I do not think there is anyone here who has realised that it is essential for the Accountant-General's office to render us assistance. This is, I am afraid, an insuperable difficulty——

Mr. LALIT CHANDRA DAS: Cannot we have a Joint Committee?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: As I personally explained on more than one occasion on the floor of this House, a Joint Committee has to be formed by an agreement between the two Houses, and efforts in that direction have to be made, and an initiative must be taken by somebody. Perhaps, Mr. Deputy President may take the initiative; it is not really for me to take the initiative, although I can promise that I shall be of as great assistance as possible. But there are constitutional difficulties and as you, Sir, have just now said, I have not been able to make time to explain the whole position to you. I think the House will realise that I am hard pressed for time at this moment. I shall see what the position is and then, Sir, I may be able on a later occasion to consult you and such other members of the House as may be specially interested.

Mr. HARIDAS MAJUMDAR: When are we to meet in your Chamber, Sir?

Mr. DEPUTY PRESIDENT: I shall let you know.

Order, order, the House stands adjourned till 1-30 p.m. to-morrow.

Adjournment.

The Council was then adjourned till 1-30 p.m. on Thursday, the 22nd February, 1945.

Members Absent.

The following members were absent from the meeting held on the 21s February, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. Sultanuddin Ahmed.
(3) Mr. Kader Baksh.
(4) Rai Bahadur K. C. Banerjee.
(5) Mr. Humayun Reza Chowdhury.
(6) Mr. R. W. N. Ferguson.
(7) Mr. Humayun Kabir.
(8) Maulana Mohd. Akrum Khan.
(9) Mr. N. N. Moholanabish.
(10) Mr. N. N. Mookerjee.
(11) Dr. K. S. Ray.
(12) Mr. S. N. Sanyal.
(13) The Hon'ble Sir B. P. Singh Roy

BGP-45/6-2476A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 5.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 22nd February, 1945, at 1-30 p.m., being the fifth day of the first session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Condolence Resolution.

Mr. HARIDAS MAJUMDAR: Sir, before the Questions are taken up today, I have to perform a melancholy duty in connection with the death of Wing-Commander K. K. Majumdar, one of the 12 best pilots of the world. I want to move a condolence resolution which I hope, Sir, you will kindly permit me to do.

Mr. DEPUTY SPEAKER: In a matter like this I see no reason to disallow your request, but I would like to tell you that it would be more in consonance with the convention to move the resolution from the Chair. However, I allow you to move the resolution.

Mr. HARIDAS MAJUMDAR: I beg to move that this Council places on record its profound sense of sorrow at the death in air crash of Wing-Commander K. K. Majumdar, a glory to the R.A.F. and a heroic son of Bengal, and requests the Deputy President to convey to the bereaved family the heart-felt sympathy of the people of Bengal.

Sir, the news of the death of Wing-Commander K. K. Majumdar, who covered Bengal with undying glory being one of the twelve best pilots of the world, has caused profound sorrow throughout the length and breadth of the Province, nay, India, or rather the world. Our only consolation in this glorious end of a hero in the discharge of military duties is to be found in the words of our Lord in the Gita "*Hato ba prapsyasi swargam jitta ba bhokhyase mahim*," which means: dying you enter the Kingdom of Heaven and living you enjoy the earth. As a member of the Hindu Mahasabha, the only important political body in India, which under the far-seeing guidance of Veer Savarkar advised all to help in the war effort with a view to militarise the people, I have no hesitation in saying that the late Wing-Commander Majumdar adopted the right course in joining the war, thereby countering the lie of Macaulay that Bengalees are lacking in courage and are unfit for military pursuits and that in Bengal, as in Valencia, land is water and men are women. We hope and pray that the influence of his noble example will spread among our youths so that a race which has under restrictions of the military department been reduced to be one of clerks, lawyers, doctors and deputy magistrates, may produce in large numbers first-rate military men. We remember the time when Air pilots of nations other than the British crossed the Atlantic and how quickly Sir Allan Cobham was knighted for removing this dishonour of his people. In modern warfare the air-arm is becoming more and more important and it is expected that in a few years it will be the decisive factor. Fortunately, Bengal now holds a respectable position in this branch of the Defence Service and if Bengalee mothers will din into the ears of their sons the lesson of courage and heroism drawn from the record of the late Wing-Commander Majumdar, a quite unexpected development may take place and

the sons of Bengal may become the most important section of the Indian Army at no distant date. My humble suggestion is that a marble statue or a bust of this heroic son of Bengal should be placed in the College Square, the resort of our young men. Of poets, novelists and lawyers, we have had enough and to spare. I want more *Kshatriyas* among us and Wing-Commander Majumdar was a *Kshatriya par excellence*. If Bengal wants to commemorate his name, let young Bengal follow in his foot-steps. With these words, I move the resolution of condolence.

Mr. DEPUTY PRESIDENT: Resolution moved: that this Council places on record its profound sense of sorrow at the death in air crash of Wing-Commander K. K. Majumdar, a glory to the R.A.F. and a heroic son of Bengal, and request the Deputy President to convey to the bereaved family the heartfelt sympathy of the Council.

Mr. BIREN ROY: Sir, as a pilot of this province, who has been in the flying line for the last 15 years, I associate myself with the sentiments expressed in the resolution of Mr. Haridas Majumdar. Perhaps I am the only member in this House who had the opportunity of having personal contacts with Wing-Commander Mr. Majumdar. His brother, Major J. K. Majumdar, a flying friend of mine, was also a good pilot. He was killed in an air-crash in the North-Western Frontier last year. Although he was a major in the cavalry regiment, he liked flying very much. His younger brother, Wing-Commander Majumdar took to flying later and very quickly rose to the rank of Wing-Commander. He was not merely satisfied with his post and at a time when he was Wing-Commander in the North-Eastern Frontier and was carrying on active operation against the Japs, he was offered a staff post but he preferred adventure and left for service with R.A.F. in the Western front, for active service in Europe and was one of the outstanding pilots in clearing the Falaise Gap during the time of the Allied invasion of France. Thereafter, Mr. Majumdar came back to join the I.A.F. from the R.A.F. and was making preparations to organize one of the best flying exhibitions throughout India so that the enthusiasm of young Indians for flying may more and more increase and better pilots are produced. But this accident marred it. It was very sad. As a pilot and as a member of this House, also, I would like this House to convey our heartfelt sorrow to the members of the bereaved family.

Mr. BANKIM CHANDRA MUKHERJI: Sir, I want to associate myself with the resolution which has been moved by my friend, Mr. Haridas Majumdar, condoling the death of Wing-Commander K. K. Majumdar. We have just now heard from Mr. Roy that not only Mr. Majumdar but his brother also joined the Air Force and although he died while in active service in the Army his family did not hesitate to send out another member of the family for the same service.

I am informed by Mr. Biren Roy that he was a cavalry officer but that is not the point. The point is that although one member of the family had died in active service in the Army, the family did not hesitate to send out another member of the same family to join the Army. This example set by the family of Mr. Majumdar should be emulated by other families in Bengal and I hope the suggestion made by Mr. Haridas Majumdar that Government should raise a statue in the College Square to commemorate the death of Wing-Commander Majumdar would be given effect to. It would be an incentive to the young men of Bengal and to the other families of Bengal to send out their sons to the Army, so that in no time Bengal may raise a large contingent not only in the Air Force but also in the other branches of the Army sufficient to drive out the Japanese and to prevent them from taking Bengal in the near future. With these few words, Sir, I support the resolution which has been moved by Mr. Haridas Majumdar.

Mr. KAMINI KUMAR DUTTA: Sir, I associate myself with the resolution and convey our heartfelt sympathy to the members of the

bereaved family of Wing-Commander K. K. Majumdar. The very fact that Mr. Majumdar was made a Wing-Commander testifies to his success in the Air Force. It is a well-known fact that the late Mr. Majumdar did glorious work even on the European front. His success proves that the sons of Bengal if placed in any position can prove equal to anybody in the world. It has also served to expose the utter hollowness of the slur cast upon the Bengalee race as being non-martial. Races are not martial by birth. Wing-Commander Majumdar has proved that the Bengalees are not inferior to any other race in the world, provided they get necessary facilities and opportunities for training in the Defence Services. With these few words, I join my friend, the mover, in conveying sympathy to the members of the bereaved family. We feel proud of such sons of Bengal.

Mr. LALIT CHANDRA DAS: Mr. Deputy President, Sir, I desire to associate myself and my party with the resolution which has been ably moved by my friend, Mr. Haridas Majumdar, for condoling the death of Wing-Commander K. K. Majumdar. Sir, he has set a very noble example. I think, Sir, it is realised very largely by all of us that in order to defend our independence for which we are clamouring so much we should know how to defend ourselves in the air, in the sea as well as in the land, and that for this reason the different races of India should receive adequate training in the science of warfare. Wing-Commander Majumdar was an example for the young men of Bengal. Sir, I may mention here that it was his example which induced my own nephew to join the I.A.F. He is now a pilot officer, and he has also the aspiration to be a Wing-Commander himself. Sir, through this resolution our whole-hearted sympathy and condolences go to the members of the bereaved family and therefore I support this resolution.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, on behalf of myself and our Party, I whole-heartedly support the resolution which is before us. Sir, Bengal can well be proud of a man like Wing-Commander K. K. Majumdar who had proved his ability in the R.A.F. as a Bengalee. As a matter of fact, he was one of the 12 best officers who took to that profession, I mean, the flying profession. He has succeeded really to falsify the theory that Bengalees are a non-martial race. We do not believe that we are a non-martial race, because before the advent of the British, the Bengalees had their own Army and it was led by themselves. In spite of this fact, we are dubbed times without number as a non-martial race. Wing-Commander Majumdar has proved that the Bengalees have got all the latent qualifications to give a lie to the myth that they are a non-martial race. We have nothing but respect for a man like him and so I whole-heartedly associate myself with all that have fallen from the previous speakers.

Mr. R. S. PURSSELL: Mr. Deputy President, Sir, on behalf of the European Group and myself, I associate fully with the resolution which has been moved by my friend Mr. Majumdar. The sad news of the untimely demise in the prime of life of this outstanding son of Bengal while in service, has filled us with sorrow. We hope the Council will send its heartfelt condolences to the members of the bereaved family.

Mr. NUR AHMED: Sir, I rise to whole-heartedly support the resolution so ably moved by Mr. Majumdar. It is a very sad thing that one of the bravest sons of Bengal is no more. Sir, there was a time when Bengal was considered as a non-martial province. But, Sir, Mr. Majumdar by his bravery and by his courage has shattered that theory. It is really a very great loss to Bengal. Sir, I think young men of Bengal should follow his inspiring example and try to blot out the stigma which hangs on the name of Bengal. Sir, with these few words, I feel proud to associate myself with the resolution that has been moved.

Mr. DEPUTY PRESIDENT: The Chair fully associates itself with the feelings and sentiments expressed from all sections of the House in the course of the discussion of the resolution which has been moved by Mr. H. D. Majumdar. The late-lamented Mr. Majumdar was highly connected. He was a grandson of the late Mr. W. C. Bonnerjee. It is highly regrettable that his elder brother also met with the same fate under similar circumstances. Mr. Majumdar was in active service both in the Western as well as in the Eastern fronts and he had acquitted himself very creditably. Young men like him are the objects of glory and pride to the race to which they belong. It is through the sacrifice of young men like him that Bengal will be placed on an equal footing with other provinces when occasion will arise for recruitment to the military service hereafter. With these few words, I shall now put the resolution:

"That this Council places on record its profound sense of sorrow at the death in air crash of Wing-Commander K. K. Majumdar, a glory to the R.A.F. and a heroic son of Bengal, and requests the Deputy President to convey to the bereaved family the heartfelt sympathy of the people of Bengal."

(The resolution was agreed to by all the members rising in their places.)

Mr. DEPUTY PRESIDENT: It will now be my duty to see that a message of condolence is forwarded to the members of the bereaved family.

I will now take up Questions.

QUESTION AND ANSWER

Kaiti Debt Settlement Board.

46. Khan Bahadur NAZIRUDDIN AHMAD: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) whether the Kaiti Debt Settlement Board in thana Raina in the district of Burdwan ceased to function after September, 1943, on the expiry of 3 years from the date of its establishment;

(*b*) if the answer to part (*a*) is in the affirmative—

(*i*) whether there were many part-heard cases under section 37A of the Bengal Agricultural Debtors Act when the said Board was abolished, and

(*ii*) whether it is a fact that no servant of the Crown has as yet been authorised to make awards in these cases as provided in section 4 of the Act;

(*c*) if the answer to part (*b*)(*ii*) is in the affirmative—

(*i*) what are the grounds for the delay, and

(*ii*) what is the number of cases pending; and

(*d*) whether it is proposed to authorise a servant of the Crown under section 4 of the Act to dispose of the pending cases under section 37A of the Act, and, if so, when?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. Jogendra Nath Mandal): (*a*) Yes.

(*b*) (*i*) Only 13 cases under section 37A were pending.

(*ii*) No. A servant of the Crown has been authorised.

(*c*) (*i*) and (*d*) Do not arise.

(*ii*) Only 13 cases under section 37A.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please state, with reference to (*ii*), who disposed of these 13 cases under section 37A?

Mr. K. C. ROY CHOWDHURY: A servant of the Crown has already been authorised to deal with these cases.

Mr. LALIT CHANDRA DAS: Yes, authorised to act under section 4 of the Act, but who is disposing of the cases under section 37A of the Act?

Mr. K. C. ROY CHOWDHURY: I am afraid, I have no information on the point.

Mr. HARIDAS MAJUMDAR: When was this question put or tabled? I would like to have the date of the question?

Mr. DEPUTY PRESIDENT: Do you want to know the date when notice of this question was first received by the Hon'ble Minister?

Mr. HARIDAS MAJUMDAR: Yes, Sir, so that we might know how many months were taken by the Hon'ble Minister to gather this information. The Ministry sit tight on questions and after some months they come to the House and say that they want notice, and thus waste the time of the House and provincial revenues. I would like to know if the Parliamentary Secretary is prepared to give an answer on this point.

Mr. K. C. ROY CHOWDHURY: I think notice of the question was sent on the 26th of December, 1944, so far as I can gather from the file.

Mr. HARIDAS MAJUMDAR: I doubt if this information is correct.

This is, Sir, wasting the time of the House and wasting money of the provincial revenues.

Mr. DEPUTY PRESIDENT: Let me see if the Parliamentary Secretary can answer the question.

Mr. HARIDAS MAZUMDAR: Let another gentleman come in his place. He is too old.

Mr. K. C. ROY CHOWDHURY: I gather that the notice was sent in December last year——

Mr. HARIDAS MAZUMDAR: No, your information is not correct. You should go and take instructions from your Minister.

Mr. BANKIM CHANDRA MUKHERJI: Will the Hon'ble Minister be pleased to state when the servant of the Crown was authorised to make awards?

Mr. K. C. ROY CHOWDHURY: I want notice.

Mr. BANKIM CHANDRA MUKHERJI: Has the servant of the Crown begun to function?

Mr. K. C. ROY CHOWDHURY: I want notice.

Mr. BANKIM CHANDRA MUKHERJI: Will the Hon'ble Minister be pleased to state if he is aware that the letter of authority has been despatched to the proper place?

Mr. K. C. ROY CHOWDHURY: My information is that the authority has been given and some cases have been transferred from that file to another.

Mr. BANKIM CHANDRA MUKHERJI: Will the Hon'ble Minister be pleased to state whether the letter of authority has been posted?

Mr. K. C. ROY CHOWDHURY: The letter of authority has been given.

Mr. BANKIM CHANDRA MUKHERJI: Is he aware that the letter of authority authorising the servant of the Crown has been posted?

Mr. K. C. ROY CHOWDHURY: Yes, Sir, the letter of authority has been given.

Mr. BANKIM CHANNDRA MUKHERJI: But it may be still in the Secretariat. So I want to know whether it has been despatched. If you cannot answer, say you do not know.

Mr. K. C. ROY CHOWDHURY: So far as I have been able to see from the papers, authority has been given. But I ask for notice for giving fuller information.

General Discussion of Budget.

Mr. DEPUTY PRESIDENNT: Questions over. Now the House will take up the general discussion of the Budget.

Mr. BIREN ROY: Where is the Finance Minister, Sir?

Mr. DEPUTY PRESIDENT: I have been informed that the Hon'ble Finance Minister will be a little late on account of an unavoidable business.

Mr. K. C. ROY CHOWDHURY: Sir, I will take notes of the speeches made in his absence---

Mr. LALIT CHANDRA DAS: After all, it is in the Assembly, that demands are made and grants are passed and there they have the power of voting. All that we have got to do here in this House is to discuss the financial statement. So, Sir, the discussion ought to take place in the presence of the Finance Minister. It is no use delivering speeches in the absence of the Finance Minister. In his absence somebody will take note and the Finance Minister will turn up one day and reply——

Mr. K. C. ROY CHOWDHURY: Sir, the Finance Minister's absence is unavoidable. I am authorised to take notes of the speeches.

Mr. BANKIM CHANDRA MUKHERJI: So far as the note-taking of the Parliamentary Secretary is concerned, we have seen his performances and we do not expect from him full reports. Therefore, we request that the House should be adjourned till the Finance Minister comes.

Mr. LALIT CHANDRA DAS: Sir, the effect of the discussion will be lost.

Mr. BIREN ROY: Moreover, Sir, he promised to tell us something about the Public Accounts Committee of the Upper House. Now, when the Finance Minister is absent what is the use of having this useless sitting of a debating society. He does not care to attend our meetings.

Mr. DEPUTY PRESIDENT: As regards the Public Accounts Committee, I made a statement yesterday. I do not know whether Mr. Roy was present at that time. So far as the taking of notes by the Parliamentary Secretary is concerned. I can simply say that he is stated to have been authorised by the Finance Minister to do so. The Hon'ble the Leader of the House is also present here.

Mr. LALIT CHANDRA DAS: Sir, we cannot carry on without the Finance Minister.

Mr. DEPUTY PRESIDENT: I may point out for your consideration that the dates for the Budget Discussion have been fixed by His Excellency the Governor in his individual judgment, and so it can neither be changed

nor extended without his approval. The right to offer general comments on the Budget is a valued right and privilege of this House. So, if you lose time, you will lose a valuable right and a great opportunity. Therefore, it is up to you to decide whether you will commence discussion or you will wait till the Hon'ble the Finance Minister comes. I am prepared to abide by the wish of the House and adjourn for a short while so that the Hon'ble the Finance Minister may turn up.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the Finance Minister is absent for unavoidable reason, for State reason.

Mr. K. C. ROY CHOWDHURY: On a similar occasion before, the absence of the Finance Minister was condoned and the proceedings were allowed to go on.

Mr. BANKIM CHANDRA MUKHERJI: Sir, may we know the nature of the unavoidable reason which compels the Finance Minister to remain absent from the Council when a very important discussion on Budget is going on. This should have been regarded as his first business for this day, so that he might make it convenient to attend and show respect to the House. I do not know whether there is any objection to disclose the unavoidable reason which compels him to be absent from the floor of this House.

Mr. K. C. ROY CHOWDHURY: He went to the Cabinet meeting.

Mr. BANKIM CHANDRA DATTA: Well, the Agriculture Minister is present here.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: When I came away the meeting was going on. I do not know whether the meeting is over by now.

Mr. K. C. ROY CHOWDHURY: He has an urgent engagement with His Excellency the Governor.

Mr. BANKIM CHANDRA MUKHERJI: If that be the case, then His Excellency should have known that this afternoon has been fixed by him for the general discussion of the Budget. So this time should not, in all fairness, have been appropriated by His Excellency.

Mr. LALIT CHANDRA DAS: Sir, I think I am informed that dates for the discussion of the Budget are not inflexible. Last year, so far as our House is concerned, three days were extended to four days, and these dates are fixed on the advice of the Hon'ble Ministers. So in the present case also the days fixed for the general discussion of the Budget can be similarly extended.

Mr. DHIRENDRA LAL BARUA: Sir, in presenting the Budget for the coming year, the Hon'ble the Finance Minister has stated: "How soon the war will end none of us would dare predict: nor how soon we may be able to set our hands, untrammelled by a sense of peril, to the arduous but fruitful tasks of reconstruction. Of physical destruction there has fortunately been little in our country; and to that extent our problems of post-war reconstruction may appear somewhat simpler." As for the financial position of the province, we are told that Bengal's net indebtedness at the close of the coming year is expected to reach the total of 19 crores. The main redeeming feature of the Budget presented is that there is no proposal for fresh taxation. But to an impartial observer, it cannot but appear as an anomaly that while the figure of Bengal's indebtedness is mounting up to 19 crores, the Government do not risk their popularity by resorting to any new taxation——

Mr. LALIT CHANDRA DAS: On a point of order, Sir. Is it not a breach of convention, Sir, that Government Party members should be

speaking first. The practice is that initiative is to be given by the Opposition, and for the past eight years the convention has been that Opposition members should begin first and that in the presence of the Hon'ble Finance Minister.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I can speak from my personal experience that when I was with the Government Party, I spoke first for several years.

Mr. LALIT CHANDRA DAS: When?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Why, for several years in the past.

Mr. DHIRENDRA LAL BARUA: The Hon'ble the Finance Minister has not however concealed from us the fact that the balance of the improvement in revenue is due principally to larger receipts under Income-tax, Excise and other taxes and duties, and that out of one crore and a half of the total improvement under the taxes and duties one crore is due to enhancement of the rates of Sales Tax while the balance is derived from larger receipts from Entertainment Tax, Betting Tax, Electricity Duty and Motor Spirit Sales Tax. To wipe off the deficit now on the increase, the Government of Bengal may either secure money by more issue of Treasury Bills or go with the begging bowl to the door of the Government of India for subvention. But in the long run the whole burden of administration falls on the shoulder of the over-taxed, ill-fed, ill-clothed and ill-medicated people of the province and the people of India.

The economic problems of the present have become so acute, especially for the middle-class families and persons with fixed income that it would seem rather premature to cast our wistful looks to future plannings and schemes of reconstruction after the war. The physical destruction due to enemy action has been fortunately little and negligible in the present year; but the death-rate of the province has considerably increased and the moral degradation in all walks of life is appalling. In spite of the benign control of trades and industries by the Government, the average families are going without coal, cloth, medicine, kerosene and sugar.

The programme of work proposed in the Budget consists in the excavation and re-excavation of derelict irrigation tanks, execution of useful irrigation and drainage project, rehabilitation of artisans and craftsmen and founding of centralised Destitutes' Home and Orphanage. Of these, the first three are apparently impracticable and useless. These are the works to be undertaken better after the war when unemployment will be the order of the day and labour will be cheaper. The serious problem which faces the province is the security of human life and improvement of human morality which has gone so low. No sensible man will like to live in a world which is dominated by a new race of Government contractors, dealers and supervisors, which is corrupted by black-markets. The solution of the problem lies to my mind in ensuring by all means the cause of all-round progress through sound education. But lo! the general idea is that if there be anything deserving neglect and starvation, it is education.

I have been in the Council for the last five years during which I have been asking the popular Ministry of Bengal and the Government of the province to make a special provision for the educational progress of the Budhhists who have suffered terribly since the loss of Burma, being mostly placed within the war zone. I have been the dupe of hope and yet I am hoping against hope. When a frank reply I get, it is that in the present regime number alone counts. The Buddhists being numerically a small minority, their case may be easily neglected. Had the Buddhists been as rich and commercially prosperous as the Jains

and Parsees, they would not surely come to your door for doles only to be spurned. If the people of Bengal want to be proud of their ancient history and culture, they will surely find that the Buddhists were the builders of that history and that culture. Is my demand unreasonable? If the Buddhists have not been in poorer circumstances and had they not been educationally backward why should I repeatedly ask the Government for a statutory provision for Buddhist education? And I have not asked for a large sum. A very small portion of the huge amount lost by Government in the waste of food-grains would go a long way to uplift my community. However, I make my submission again and will continue to do so as long as I am privileged to be in this House until this legitimate demand on my part is responded to and met.

Rai Sahib JOGENDA NATH RAY: The Finance Minister of Bengal, at the beginning of his speech waxed eloquent over the achievements of the Ministry in the field of production, procurement and distribution of food and the Government, he said, therefore could redeem the pledge that "there shall be no famine in 1944". But I think the honourable members will agree that what was left undone by famine was completed by its inevitable associate, the epidemics and diseases which, according to the Finance Minister's version, presented problems to the Ministry of exceptional difficulty to tackle.

No doubt it is a very rosy picture of the dreamland of future Bengal drawn by the Finance Minister when he goes on recounting the welfare campaign of the Government and also the rehabilitation plans for Bengal in "Grow More Food projects", fish and fishery projects, famine relief and destitues' homes, medical relief and anti-epidemic measures, irrigation schemes, cattle breeding centres, fertilisers, manuring methods, and above all, post-war planning and reconstruction. We are, according to him, not only out of the woods but he has laid the "foundation for those achievements of security and well-being to which we and others aspire". I am quoting his inspiring message. But if he looks, leaving aside his coloured spectacles and coming down from his cosy surroundings, to the millions of homes of this hopeless province of ours, where thousands are still dying of starvation, where hundreds are still moving about naked and hungry, where thousands are groaning under their ragged roofs in malaria, small-pox and cholera, where in million homes, death has left but wailing and mourning, our hearts simply shudder to think that our own Finance Minister can sing so glibly the swansong of the plenty in future.

Sir, coming to the figures of his budget which he says exhibits "a grand procession of figures and is a measure of the impact of War on Bengal", we find that the estimated deficit of 8 crores of 1944-45 rose to 11 crores in actual estimates in spite of the fact that the income in 1944-45 was increased by 14 crores and a subvention of the India Government of Rs. 7 crores. He says that the cause was war conditions which forced up expenditure by 17 crores. But why should Bengal suffer alone for a war which was neither her own nor of her choice? Bengal is the base of operations—the spring-board for campaigns against Burma. Why should not the Central Government come with its purse-strings open to meet the enhanced war requirements of India? Is it a crime of Bengal if its Ministers could not impress upon the Central Government their own responsibility in this matter?

Sir, about the Civil Supplies Department, the Finance Minister has lots to say in its support and praise. The estimated loss due to subsidised food is 8½ crores in 2 years, but the actual loss—good heavens—comes to double the amount—17 crores. But could this large money bring some solace to the homes of dying Bengal? I do not know if the dying and dead sons of Bengal would have been elated with joy when they were told that their popular Government spent 17 crores for them; still impudent Providence could not spare them. Why in spite of this huge

expenditure under this head, is the black-market so rampant? Why the forebodings of impending famine? Why the number of deaths is increasing in hospitals for the unfortunate destitutes? Why vagrants are about? It is known to the meanest mortal of this province that the department is suffering from bungling and muddle-headedness from the top to the bottom. Why is it that the Government stock of vast quantities of food was made to rot and deteriorate in godowns and had to be destroyed? Why is it that in some cases this deteriorated foodstuff is being auctioned away to the merchants—sometimes the very merchants who supplied them at an exorbitant rate—for sale in black-market to the serious danger of public health? Why is it that in spite of the much-vaunted organisation and increase of expert personnel of the Civil Supplies Department, Bengal is suffering from an acute shortage of bare necessities and of cotton goods of all kinds? What about the 10,000 new boats so much advertised? What are the personnel of the enforcement and public relations department doing when before their nose and behind their back so much black-market is prevalent?

Sir, the Finance Minister is very optimistic about the proceeds of the "Grow More Food campaign". But can he say with confidence that 29 centres of distribution of manures are sufficient and conveniently approachable to all parts of Bengal? Were the agriculturists in a position to borrow seeds, etc., on a *sowai* system? What was done during this 1½ years with the thousands of acres of land ravaged and lying waste and uncultivable by the Damodar flood of 1943? What was done to prevent a recurrence of the same and more so the reclamation of the lands for paddy? Were new lands brought under plough to compensate for these lands devastated by the Damodar? He says of rail-side lands for cultivation for more food, but these rail-side lands have suffered and are still suffering for expansionist schemes of railway authorities who are running more parallel lines over them and thereby damaging more cultivable lands.

The Finance Minister speaks of experts and more experts. Are these experts as much proficient in their departments as the Finance Minister is in his own Department? Experts will come and go but the poor cultivator will be what he was.

The Finance Minister confessed that they could not succeed in bringing cattle for plough and for milk from sister provinces, although Bengal was being drained of her cattle population for the purposes of the soldiers. Was it not a Central Government responsibility to look to the food stock of the Army personnel? Could not the Bengal Government urge the India Government about the import of cattle resources into Bengal to meet her growing needs for production and consumption?

The plan of a cattle-breeding centre in the district of Nadia will remain a plan only like many other catchy plans of the Government. Plans can satisfy their maker and the theorists but not the man behind the plough. The whole province is now in the grip of epidemic and the Government measures so far adopted are extremely futile to meet the gigantic needs of the hour. Even in the measures adopted, backed by various non-official sources of supply, the insincerity of the efforts is manifest in the inadequacy of the supply of the medicines and in the questionable efficacy of the mepachrine, quindrine and quinines supplied to the unsuspicious patients whose troubles are all the more aggravated by the said medicines. The estimated expenditure for 1945-46 of 95 lakhs only is too meagre considering the vastness of the problem to be tackled.

It is strange that the Finance Minister has earmarked only Rs. 2 crores and 16 lakhs for the Agriculture and Fishery Department, but the Department of Civil Supplies will require Rs. 2 crores and 75 lakhs for the distribution of the same produce. The problems of irrigation, education and

public health have got scant consideration from the Government and the all-absorbing interests of war-requirements have brought the Government to a headlong deficit of 8 crores even in this year. The Government is so much overpowered and fettered that on the Finance Minister's own admission the Government could not even borrow money for productive purposes. But the Government is always watchful about maintaining its patched up party somehow in power and for that is creating all sorts of avenues for party members and their relatives and they are busy with that and the departments are going their own way. For this reason the Government have had to increase the number of salary of the Parliamentary Secretaries although the number of Ministers was too large to look to their respective departments, whereas poor teachers of the schools were given dearness allowance of Rs. 5 only per head which was like trying to bridge over the sea with sand. In fine, the budget is a fidgety one based on the short-sighted communal-minded and ill-thought-out party politics without any sign of liberal thinking, comprehensive grasp of the situation in its inter-relative aspects and a thorough and sympathetic knowledge of the men, affairs and circumstances of the people of Bengal.

Mr. BIREN ROY: As usual, Sir, we begin this debate, as I have already stated, in the same unreal atmosphere as in the previous years. The Finance Minister pleaded helplessness yesterday and said that as the Accountant-General to the Government of Bengal will not be in a mood to attend a Committee of Public Accounts of this House, the formation of such a Committee by this House could not be made. That presupposes or the implication is that as we members of this Council cannot vote down either the salary of the Hon'ble the Finance Minister or that of the Accountant-General, they care a tuppence to come here in this useless debating society and spend their time. Very good! But I feel pity for the Finance Minister himself. He has taken upon himself the responsibility of providing apologia for all departments of the present Government and now except the Agriculture Minister, who is the Leader of this House and a member of this House, neither he himself nor any of the other Ministers are present here. That is how we are treated. If he were not in the position where he is now, he would have certainly described the Budget as a most reckless and irresponsible one. But after all how can we blame him? I do not think we can. Everybody knows he cares a tuppence for finances not only his own, but also somebody else's. So, he has showed to the world how successful he has been in having his own finance spirited away——

Mr. K. C. ROY CHOWDHURY: Sir, he is referring to personal matters.

Mr. BIREN ROY: Oh, no. Now, in a larger sphere he is achieving a similar object, in driving Bengal into complete financial bankruptcy and perhaps it will take a decade or two more with a greater burden on the back of the toiling masses to put the finance of this province in order.

As we have seen, the Budget reveals that by the end of the coming year perhaps the actual deficit or loss will not be anything less than Rs. 25 crores if proper accounts of all losses are made up, and this in itself is a very staggering figure, because it far exceeds the total annual revenue of this province. In spite of the fact that the Finance Minister himself admits that due to prevailing war conditions, the increase in revenue on account of Excise alone amounts to over 5 crores and over 6 crores increase in the share of Income-tax and another 2 or 3 crores on account of other emergency taxations, he blames the war conditions themselves for the ills that had befallen this province. And although he gets an increased income which is more than the revenue of the pre-war days from such war conditions, he cannot balance his budget.

All these increases will ultimately vanish as soon as the hostilities cease, and then what happens. We are saddled with this loss of not only

25 crores but perhaps a lot more, and this huge liability which is certainly due to incompetency somewhere, as also lack of foresight and mal-administration, will have to be made good by the toiling masses or the dumb millions. The privileged few at the top, of course, will always wriggle out of their shares of the burden of taxation and certainly they will by that time have strengthened their position by patronage, communal slogans and other things and the oppression will continue on the masses. This is a dismal picture.

Now, I do not want to go into details of trading or profit or loss in foodgrains or other things. There are other speakers who will go into it. But I must certainly mention one thing. Mr. Goswami does not think that there has been any "physical destruction" in this province although he knows the fact that more than 2 millions of people have died in Bengal of mal-nutrition and starvation or other attendant causes, and so in a categorical statement, he says "Of physical destruction there has fortunately been little in our country." He refers in a vague way to post-war reconstruction planning of which he knows nothing, because if he had known anything he would have been able to give us a picture of such plans in straight and clear-cut ways. From the presentation of such budgets, we do not think he will be in a position to understand what these post-war reconstruction or planning will mean.

Now, that is the picture of our finances and his Budget. But we administrators of urban and municipal areas have also a kind of budget which we have to produce for our rate-payers and for the higher authorities and if we had presented a budget as the one now before us here, we would have been at once dubbed incompetent and the Municipality or the District Board would have been superseded by Government. I shall cite some instances, and very concrete ones. In some municipalities the military are in occupation for the last two or three years of various buildings and lands and taxes due to these buildings and land are lying unpaid as outstandings for the last two or three years. The municipalities have got no other means of augmenting their revenues except rates and taxes on holding or water-supply, lighting or conservancy. Now, in the cases of a few municipalities I know, the amount of such taxes come to nearly 40 per cent. of their total annual revenues. Such municipalities are running too without any subvention from local Government, i.e., from the Centre as in the case of this Government. The local Government may mismanage their moneys still there can be no question of supersession in their case by the Central Government. In case of municipalities, however, the picture is otherwise. In all municipalities and district boards the cost of administration has gone up. All lorries, road-rollers and other road-repairing plants and equipments have been requisitioned; no permits for bricks and "jhama" for metalled roads, etc., are available either from this Government or from any other source and correspondences continue from year to year. And when the people, I mean the rate-payers, come upon the small local self-governing bodies, we have no explanation to offer, and we can only say that things are beyond our control. Here Government say that things are beyond their control, because of the war conditions and they are crying for help from the Centre in the shape of subvention. But in our case, we shall be checked by the local Government, nobody can interfere with local Governments and supersede them. We may perhaps be not returned by the voting of the people themselves in the next general election. But though Government declare that they have got no money and cannot do anything till hostilities cease, people cannot recall the members of this Government and we too are incapable of getting them out, although the Assembly members can. The moral of all this should therefore be that this Government should never try to supersede or interfere with the local self-governing bodies whom they cannot help and whose financial condition and other affairs are due to causes primarily dependent on the lack of active

sympathy on the part of this Government, when they cannot themselves balance their own budget nor can they give any relief to the ordinary citizen in the matter of food and clothing or secure for them a decent living condition. And it is this Government again that goes on appealing to the Centre explaining that they are in this condition because of the war which is beyond their control, but they must be entitled to unlimited subventions in spite of all increases in their revenues which are more than the ordinary annual revenue of the province in the shape of excise duties and other emergent measures in these war time days. I think, Sir, I should stop here, for the present.

Khan Bahadur NURUL AMIN: Sir, we are passing through an extraordinary time and it is not expected that any human-being can present a Budget which would be acceptable or would be satisfactory to all or many of us. The Budget which has been presented before this House truly reflects the condition of the people of the province who are living a life of indebtedness. The Budget shows that our debts are mounting up day by day. The war has created a very extraordinary position in the economic life of Bengal and before we are out of the war, I think, we will find that the economic structure of Bengal has been destroyed. We have seen that the necessaries of life have not only become unavailable but we have got to pay an abnormal price for these things. It is not at all commensurate with our average earning. Government, it is said, are taking steps for bringing down the prices of various necessaries of life but in the mofussil villages things are not available at the rate which we find in the papers and in Government statements. Without referring to the general aspect of the Budget I propose to confine my speech to certain definite matters so that the Government may take note of them and if they think it worth consideration they may do the needful.

So far as the expenditure under the head "Land Revenue" is concerned, we find that there is a drop of about Rs.7 lakhs under that head and this has been attributed to the closing down of the settlement operation in Faridpur. It may be remembered by the members of this House that the settlement operation in Faridpur was started on the assurance that after the operations are over Government will take up the question of the abolition of the Permanent Settlement: so far as that is concerned Government have not only given assurance but have given their solemn promise that they will take up this question. The recommendations of the Floud Commission were examined by an expert and probably considered on more than one occasion in Committees and Sub-Committees but have not yet been given effect to. The people of Bengal have yet to know from the Government as to what they want to do with regard to this vital question. It is no use telling now about the evil effects of the Permanent Settlement, because we have already got the decision from the Floud Commission. Whenever this question is raised, we are told that Government are doing something in this respect but we are only disappointed when we find that nothing tangible has been done in the way of giving effect to the recommendations of the Floud Commission. Now, let us look to the Education Budget.. I find that this is one of the departments which have not shown any expansion. We have seen that the expenditure on various other departments has been increased; but so far as the Education Department is concerned, we find that there is an increase of Rs.8 lakhs only for primary education and Rs.5 lakhs for secondary education. Now, Sir, in the year 1945, it is really astonishing that the Education Budget should provide only an increase of Rs.8 lakhs when we are crying ourselves hoarse for the introduction of primary education and improvement of secondary education. I anticipate the usual reply that everything will be considered along with the post-war reconstruction. That is a very palatable expression now-a-days coined probably by the Government of India and exploited by all the provinces, but I submit that such an urgent matter, such a vital and important problem for Bengal not to speak of the whole of India, should

never wait for the cessation of the war. After much endeavour the Bengal Rural Primary Education Act was passed in 1934 and everybody who knows the chequered career of this ill-fated Act will be surprised to know that it was not given effect to till the year 1937 when the district of Mymensingh volunteered and compelled the Government to impose tax for the purpose. Government told at that time that people would not like taxation, although they themselves were imposing taxes on tobacco, on this, that and other things. They were afraid of imposing taxes on education. The district of Mymensingh volunteered and almost threw a challenge willingly to impose tax for this purpose. This shows the anxiety of the people for education. Ever since 1937 and till now, that is about 8 years, this scheme has been worked out in Mymensingh. It is found in the Government report that it has worked quite satisfactorily. But even now Government will not move its little finger to introduce other parts of the same Act, namely, the compulsory portion of the scheme. Whenever any proposal for introducing compulsory primary education is placed before the Government, the reply is that it will require many crores of rupees. We find crores and crores of rupees are being spent on various matters, but Government is unwilling to spend anything on this important item. (MR. HARIDAS MAJUMDAR: Why do you back this Government then?) We are correcting the Government. However, Sir, in the district of Mymensingh the people themselves have started a sort of voluntary compulsion and are experimenting with that in order to compel Government to improve the condition of primary education. The Government was convinced with the result that compulsory education was not only wanted by the people, but they are anxious to get education on payment of tax even. Government was asked to introduce the penal section of the Act but in that part of Mymensingh district the Government is sitting tight over that request. I would submit that it is high time for the Government to realise that this matter could no longer be delayed.

I will come next, Sir, to the Public Health Budget. We find that a sum of one crore of rupees was provided in the revised budget for epidemic diseases but in the Budget before us that sum has been reduced by 74½ lakhs, and so practically one-fourth remains. Now, Sir, the cause for this reduction is attributed to the expected reduction in the sale of mepacrine to the public, the closing of malaria treatment centres, anti-cholera and anti-small-pox measures within the next three months of the year. Well, Government probably thinks that the epidemics will vanish within the next three months, and if this comes to be true, nobody will be more happy than myself. But, Sir, knowing the condition of the villages I can say that these epidemics have assumed such a character that they are not going to leave our land within such a short space of time. So I would request the Government to make more provisions under this head.

Now, Sir, comes the question of the supply of drinking water in the rural areas. We find here that there has been a very big drop of 7 lakhs of rupees in the next budget. It is said that the amount which has been provided will be sufficient for the sinking of derelict tube-wells in affected areas. But, Sir, I should think it is not a correct estimate, because in every district,—and I think members hailing from different districts will bear me out,—there is a large number of tube-wells which need re-sinking. According to the expert's estimates a tube-well cannot last more than 8 to 10 years, and almost all the tube-wells which were sunk some 15 or 20 years back have become unserviceable. So, Sir, the estimate that all the derelict tube-wells can be put in order with that curtailed amount is not correct. Well, it may be said that the District Boards and Municipalities should look after these tube-wells and should spend money for them. The District Boards and Municipalities are quite willing to spend money but, as you know, Sir, there is dearth of materials and there is the difficulty of transport; tube-well materials are not available unless Government requisition them and transport is out of the question without Government help. So it is not the fault of the District Boards or the Municipalities; but it is

on account of the present condition of the country, that these local bodies cannot do the repairs of tube-wells. Therefore, unless Government takes this matter entirely in their hands and gives more money for this purpose, I am sure the problem of supplying good drinking water in the rural areas will assume a very grave turn.

Then we find Sir, that an amount of Rs.25 lakhs has been provided, as has been stated in the Hon'ble the Finance Minister's speech, for low-paid officers of the District Boards and Municipalities. It has not been explained as to who these low-paid officers are. So far as my knowledge goes, Government was pleased after various representations, deputations and personal requests to grant a sort of pittance, namely, Rs.10 for each Sanitary Inspector and Rs.5 for his staff, and similar amounts were also granted to the conservancy staff of the municipalities. It is much less than the Government rate. Evidently, in the opinion of the present Government, it is only the sanitary staff, and the conservancy staff which are to be treated as essential service; others are not. Sir, when a peon of a tiny officer in the Jute Regulation Department in the mofussil village may be regarded as a man in essential service, I do not understand why employees of Municipalities and District Boards who are doing the same sort of service should not be taken as belonging to the essential service. As you know, Sir, the schemes undertaken by Government regarding irrigation and the sinking of tube-wells are constantly supervised by the engineering staff of District Boards, Government having no staff of their own for the purpose. The District Boards have lent the service of their expert officers for this purpose quite willingly, and yet they could not be considered to belong to an essential service! Therefore, I would request the Hon'ble Finance Minister to explain in detail as to what he means by "low-paid officers". I entertain great doubt that the engineering staff, clerical staff of District Boards and Municipalities have not been taken into consideration in this scheme.

Now, Sir, coming to the Co-operative Department, we find that there has not been any sign of any improvement in that direction. The Co-operative Department is another very important and vital department of Government and it seems to me that either this department is not run on proper lines or is neglected by other departments of Government. We have seen that enormous loss has been incurred in the commercial transactions under the Government of Civil Supplies; but I do not know if these transactions were made through the Co-operative Banks, Central Banks and Societies. I am sure, the loss would have been much less because there the people have their own voice; for there is the Directorate, the body of share-holders and they would exercise a keen supervision over transactions made through their banks, but the Government has not thought it fit to utilise the Co-operative Department for this purpose. So, I submit that if the Co-operative Department has to be continued in this province, it must be given its due share: either it must be run or put on proper lines and allowed to fulfil the object which it is expected to do or it should be closed down altogether. If Government is not convinced of the necessity, efficacy, utility and efficiency of the Co-operative Department, let them close it down; if on the other hand they admit its usefulness, it must be given its due share of usefulness. With these remarks I submit to the Hon'ble Finance Minister and the Hon'ble Ministers in charge of the various departments, (of whom, by the bye, none is present except that of Industry and Labour), I resume my seat with a hope that they will be pleased to bestow some attention on the points to which I have drawn their attention.

Mr. NUR AHMED: Sir, I rise to make a few remarks on the Budget presented by the Hon'ble Finance Minister. Broadly speaking, his Budget is a deficit budget and it contains some peculiar features. One of the peculiar features is that it shows that in spite of a rapid rise of revenue in Bengal there is still a deficit and at the end of 1946 there will be a loan of Rs.19 crores. It also shows that an expenditure of about 22½ crores has

been incurred by the Civil Supplies Department of Bengal as a loss for initiating its policy. It is not a debatable point that Government all on a sudden was confronted with a very abnormal situation. People were starving—not only starving but actually dying! And there was no time to think. They had to find out some means and organise some system to save the people who were dying not in thousands but in lakhs. But there is some doubt in the mind of some section of the people that there was some sort of mismanagement at the beginning when the Civil Supplies Department was created and the policy of management was formulated. From the statement of the Hon'ble Finance Minister we find that Rs.22½ crores would be incurred up to the end of 1946 as loss on this trading concern entertained by the Government for the benefit of the people of Bengal. There is some explanation but I think the statement of the Finance Minister is not very clear. Four causes have been given—(1) loss incurred for selling rice and foodgrains and sugar and salt at reduced prices and (2) on account of the loss in transport by boat and rail. There is another cause and that is on account of deterioration of foodstuff in godowns and in other storage centres. There is also an apprehension that there may be further loss on account of the same in the stocks in hand. But, Sir, we are groping in the dark as to the reason how this loss of 22½ crores was incurred by selling articles at reduced prices: how much of this accounts for transit and how much accounts for deterioration. It is a natural question to be asked of the Finance Minister for explanation. I hope my friend the Parliamentary Secretary will be particular to note my queries. I hope the Finance Minister will give definite figures to the House, item by item, how this loss has been incurred. We the representatives of the people have certain responsibilities and we should like to know how this loss is to be apportioned. Then, Sir, the second question is a very important question for Bengal, the question of unfair treatment of Bengal by the Central Government. Last year in my Budget speech I quoted figures to show that great injustice had been done to Bengal and that the financial position of this province had been crippled by the Niemeyer Award. I do not like to add to those figures and thereby take the valuable time of the House. We are grateful to His Excellency the Governor and the Hon'ble the Finance Minister who have taken up Bengal's cause and are watching the results so that Bengal's claim cannot be refuted. I hope they will fight to the last to see that the huge increase in Bengal's revenue is not thus taken away by this Award. We find from the statement of the Hon'ble the Finance Minister that since 1942 there has been an increase of about Rs.7 crores in Bengal's revenue and this increase is mainly due to increase in Excise Duty. But we are urging upon Government to adopt a total Prohibition policy. The explanation has been that the consumption has been much reduced though the revenue has increased. There is no doubt that we badly require money for our nation-building departments. The Hon'ble Minister has aptly styled his budget as rehabilitation budget. Unlike the other budgets which were more or less of a routine nature, this budget contains some special features regarding the carrying out of some important schemes. On a superficial reading we can find that Government have actually taken up some important problems so that the vast millions of men may get their food and their standard of living may be raised. The time has not come to pronounce final judgment upon the result of these schemes. The learned speaker who has just sat down referred to the activities of the Co-operative Department. I find that this Department has not been improved and extended as all such Departments have been extended throughout the world in this war.

Sir, in Bengal we do not find any new scheme relating to the Co-operative Department nor any comprehensive and well-thought-out plan. Sir, "co-operation" is a word which is very important from all points of view in Bengal. Some machinery should be set up to supply finances to the agriculturists of Bengal who form about 80 per cent. of the population. In

Madras we find that Central Land Mortgage Banks have been established, and there are about 123 Primary Land Mortgage Banks with a debenture issue of about 14 crores of rupees and issue of loan by these banks amounts to about 16 crores, but with no arrear of loan. But in Bengal there are only six or eight such banks which is not at all commendable. We expect Land Mortgage Banks to advance long term loans to the agriculturists, and the number of such banks should have been multiplied. There are provisions in the Bengal Co-operative Societies Act for starting Land Mortgage Banks. But though the Act was passed in 1940, nothing has been done to establish Land Mortgage Banks in sufficient numbers.

Now, as regards the establishment of Producers' Co-operative Societies, I may point out that in America such societies are doing very excellent work. In Bengal there are some such societies but their number is very few, and so it is essential that such societies should be set up, each in every three or four Unions at least.

The next important thing is the establishment of Consumers' Co-operative Societies on the lines of similar societies in America. The duties of such societies should be to collect the agricultural products of the agriculturists and sell them in the best market, and so there should be no question of dumping and no question of sudden fall in the prices. By this process the prices of agricultural produce are kept up on a certain level.

Sir, there is another thing which is very important. This is the establishment of Saving Societies. Attempts should be made to cover the country with numerous Saving Societies so that the peasantry may be able to cultivate the habit of saving. Sir, the establishment of such societies will go a long way to prevent wastage.

With these few remarks about the Co-operative Department, I will now say something about the Education Department. This department also has been starved. I am afraid that whenever a question of further educational facilities is raised, the question of money is raised by Government they always say that there is no money at the top of their voice. They declare that new projects must wait till the war is over. In England where bombing is still going on and where about a lakh of people has been killed and wounded by bombing, new schemes of education have been put into operation, and no wonder that educational expenses of the Government there has been increased or at least not curtailed as in Bengal. It is only in Bengal that owing to the war situation there has been this great setback in the progress of education. Speaking for Chittagong, I may say that in Chittagong there is no high school worth the name now and the same holds good in respect of middle-English schools also. There is no high school for girls also there. so that education has practically been stopped there for the time being. I think that similar is the condition in some other districts also owing to this war. Owing to their low pay most of the teachers have left their beloved institutions and gone over to other places to fill their bellies and to save their families from starvation. I do not blame them. The result of all this has been that the cause of education is receding, and Moslem education which is so material to Bengal is suffering mostly. Last year I quoted figures to show that Moslem education in Bengal lagged far far behind as compared with that of other provinces in India and as compared with other Moslem countries. But no serious attention has been paid to this matter. I find from the proceedings of the Education Sub-Committee of the Post-War Reconstruction Committee that they too have not paid any serious attention to this very important aspect of Muslim education. It is an admitted fact that Muslims are lagging much behind in education and that is why they have been reduced to this sorry plight. Various theories have been advanced as to the reason of backwardness of our community, and one is that our community did not take kindly to English education. Sir, I do not subscribe to this theory but in my humble

judgment I believe in the remark of Mr. W. W. Hunter in his book—"Indian Mussalmans"—that by the policy of the early British Government very widespread system of national education which the Muslims possessed then and the endowment which used to feed that system was destroyed by the Resumption Proceeding and the Permanent Settlement. He has shown in pitiable language how the Moslems can rightly accuse the earlier British administrators of having neglected the cause of their education and of having destroyed their national system of education.

Sir, I appeal once more to the Education Minister and I appealed not once in this House but more than three or four times that Muslim education should be advanced at all cost. I appeal to every section of this House to solve this problem. Unless Muslims are equally advanced with other sister communities of Bengal, Bengal will not prosper. So it is to their interest also to support this noble cause. The Muslims are not progressing in Bengal. I can show by figures that they are retrograding. They are receding in education. As regards higher education, their number is very meagre; only in class one and class two of primary schools, the number is large. For example from figures of 1940 it is found that 872,000 Muslim boys were in class one and it is reduced to only 10,000 in class ten. This shows that Muslim education in Bengal is progressing at a very slow scale. From the latest census of 1941 it appears that out of 6 crores population of Bengal only 9 lakhs and odd are literate. Of this only 18 lakhs are females. Taking the percentage of Muslim female education in Bengal it may be said that Muslim female literate is only 3 per cent. in East Bengal and 6 per cent. in Western Bengal. We have to remember that according to the census it is only those persons who can read and write they are literate. They have taken into account those girls who are in the first two classes of the primary schools. Taking that figure this percentage was made out. As regards higher education Muslims are hopelessly behind, specially in scientific and technical education. Although some scholarships and stipends have been granted, they are not sufficient. Muslims require special encouragement and it was suggested by the Hartog Committee in 1929 that Rs.43 lakhs should be set apart for the advancement of Muslim education. That report was probably made in 1929. Since then nothing has been done. I may refer to the Momin Committee's Report which was published in 1931. There were valuable suggestions and these suggestions have not been given effect to. No resolution dealing with that report has been published as yet, although promised again and again in this House.

Then I come to the burning question of cloth scarcity. It is admitted on all hands that cloth has become scarce in Bengal. Of course, I am conscious of the fact that Bengal's quota has been reduced. Bengal has been given 10 yards in place of 12 yards, whereas Punjab and Bombay 18 yards and North-West Frontier Province 32 yards. So Bengal has been treated very unfairly in this respect though Bengal contains extra population on account of its being in the war zone. It is said that cloths have been imported but where have those bales of cloth gone? It is a well-known fact that black-market has become rampant here. In the quarter I live there are some cloth merchants and every day some Marwari brokers go there and supply them with cloths from the black-markets. My humble suggestion is that the whole question of supply and distribution should be conducted as has been done in the case of foodgrains, namely, through rationing system, by card system. Otherwise it would be very difficult to suppress this black-market in Bengal. The other day I met a Madrasi gentleman who was astonished to see the extent of black-markets here and he said that in Madras it was not so. The public do not co-operate in this matter of checking the black-market. Everybody will say that he has been charged so much but he won't give any information leading to the seller's arrest, the reason being that further supplies will be stopped to him. If this problem is not solved soon, there will be cloth famine in 1945 as there was foodgrain famine in 1943.

I speak now on another aspect of the Budget. There is very little explanation as regards Civil Works, and Irrigation schemes that have been finished by Government. The total amount under Civil Works comes to Rs. 161 lakhs, and these are some items of new construction and repair. But cannot these wait till the end of the war so that the high prices of materials and labour could be avoided?

Then I may tell something about the grievances of the Chittagong people. Sir, Chittagong has been very unfairly treated. As regards small irrigation schemes, I find Chittagong has been totally omitted. As regards supply of sugarcane cutting and manure, Chittagong has not got its proper share. I appeal to the Hon'ble the Agriculture Minister who has already put life in the dry bone of this Department to do something for Chittagong. Paddy fields have been taken away for military purposes. Steps should be taken to take over other fields for crops. Fish culture scheme has not been extended to Chittagong though there are 1,000 good tanks there in the town itself. In the northern parts of the district there are very good tanks for fish culture. No effort has been made to develop these tanks. Sir, there is another very important thing to which I must draw the attention of the Hon'ble Minister in charge of Commerce and Industries and that is the preparation of salt. Sir, Chittagong presents a unique facility for preparation of salt by way of cottage industry, and the people of Chittagong who live by the river side are accustomed to the process of preparing salt. But I find that only three warehouses are going to be constructed this year and the amount that has been provided in the budget for the whole of Bengal is only Rs.57,000. I think that it is a very small amount for encouraging the manufacture of salt in Bengal. This item should form a part of the rehabilitation scheme, but I do not know whether it has been included in this scheme.

Sir, there is another industry which has to be encouraged. This is the *gur*-making industry. There is a good field for this industry. *Gur*-making can be very easily done by the agriculturists. But there is one difficulty, and it is this, namely, want of new scientific advice and other necessary things. So Government should come forward to supply the people who are engaged in this industry with all possible help. In this connection, I may say that allotments in respect of industry are very meagre as compared with other allotments. Sir, industry is expected to play a good part in the scheme of rehabilitation. But I find that there is no such scheme which is to be financed by this Budget. I am aware that there are some Industrial Sub-Committees and some Technical Committees and that they are preparing schemes which are to be put into operation after the war. But when the war will end nobody knows, and we do not know whether these schemes which are being prepared with so much labour and at so much cost will at all be put into operation. This is the most opportune time for launching a scheme which can benefit those persons who suffer from the effects of last year's famine.

Sir, there is another fact to which with all respect I must draw the attention of the Hon'ble the Minister concerned. This is the training of large number of nurses and female doctors. Sir, in Bengal, especially the Muslim conservative families want their female folk to be treated by women doctors; indeed, it is a well-known fact that there are some Moslem ladies who prefer to die than to be treated by a male doctor.

Mr. LALIT CHANDRA DAS: Sir, for the last one hour the honourable member has been addressing the Hon'ble Minister for Commerce and Industries with his back to you.

Mr. DEPUTY PRESIDENT: Mr. Nur Ahmed, have you finished?

Mr. NUR AHMED: No, Sir, I have not yet finished. There is woeful dearth of nurses in Bengal. I am conscious of the fact that attempts have

been made to train nurses but my point is that facilities should be provided in some colleges, in some local hospitals to train up nurses in such areas because it is a known fact that respectable ladies of Moslem families will not come forward and it is the duty of Government to encourage the training of Moslem females under suitable pardah arrangement in the medical profession. Sometime ago I put a question to the Public Health Minister as to whether he contemplated making such arrangements to which he said that it was impossible to make such arrangements. He is not here now but I may submit that there is nothing impossible in this world and if sincere efforts are made then this can be done. I therefore hope that arrangements should be made for Moslem females and not only Moslem females but for females of all communities to be trained in nursing and medicine. In Chittagong Medical School there were 5 or 6 female students but owing to boarding house difficulty and for want of accommodation their guardians are feeling great difficulty in continuing their education there. I therefore respectfully draw the attention of the Hon'ble Minister concerned to this aspect of the matter and appeal to him to provide hostel accommodation and stipends for female students of Chittagong Medical School. Lastly, I must congratulate the Hon'ble Finance Minister on his lucid statement at the time of the presentation of the Budget and also for the presentation of facts in such a way that it cannot be criticised except on some matters some of which I have mentioned in the beginning. He has confronted the House with a statement of solid work that has been done and that is a noble feature in his Budget for which I cannot but congratulate the Hon'ble Finance Minister. I only hope that the hope that has been made out in his statement and in his Budget figures will be duly fulfilled, and Bengal will be once more prosperous and see better days as other provinces have seen. I must however say that Bengal is still confronted with a dismal future while other provinces, as for example, Madras, the Punjab and even Sind, are piling up crores for post-war reconstruction. Bengal is faced with a vast war deficit, and I think in this respect it will be the duty of the Finance Minister to make up the loss that Bengal has incurred in the matter of supplies of foodgrains and other necessaries of life. I strongly support the action of the Hon'ble Finance Minister and of His Excellency the Governor in asking for a subvention from the Centre for this loss. With these words, I resume my seat as my time has been up.

Mr. DEPUTY PRESIDENT: The House now stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 23rd February, 1945.

Members absent.

The following members are absent from the meeting held on the 22nd February, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Khan Sahib Fariduddin Ahmad.
(3) Mr. Sultanuddin Ahmed.
(4) Mr. Kader Baksh.
(5) Rai Bahadur K. C. Banerjee.
(6) Mr. Humayun Reza Chowdhury.
(7) Mr. Humayun Kabir.
(8) Maulana Mohammad Akram Khan.
(9) Mr. N. N. Moholanabish.
(10) Mr. N. N. Mookerji.
(11) Dr. K. S. Ray.
(12) Mr. S. N. Sanyal.
(13) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-2536A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 6.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 23rd February, 1945, at 2-15 p.m., being the sixth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Mr. DEPUTY PRESIDENT: Before the House proceeds to resume discussion of the budget, I may inform the House that I have got notice of an adjournment motion from Mr. Haridas Mazumdar which runs as follows:—

> "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the failure of the Government of Bengal to make suitable arrangements for proper treatment of the six T.B. or suspected T.B. patients, namely, (1) Sj. Aswini Kumar Gupta, (2) Sj. Sudhir Kumar, (3) Sj. Syamananda Sen, (4) Sj. Parimal Dutta, (5) Sj. Bhupendra Rakshit Roy, and (6) Miss Kamala Das Gupta, for which Sj. Satindra Nath Sen went on hunger-strike."

Mr. HARIDAS MAZUMDAR: Sir, the words "in jail" should be between the words "patients" and "namely" in line 5 to make the motion more clear.

Mr. DEPUTY PRESIDENT: Do you want to amend your motion?

Mr. HARIDAS MAZUMDAR: If you think, Sir, the meaning is clear, it need not be amended.

Mr. DEPUTY PRESIDENT: The honourable member has put in a short-notice question exactly on the same subject. I take it that the honourable member is not quite sure of the basis on which he wants to place his adjournment motion.

Mr. HARIDAS MAZUMDAR: Sir, it is a very urgent matter. Generally, Government keep these things in cold storage: that is why I have taken this course. If the Leader of the House or the Home Minister give an assurance, I have no objection to wait for a day——

Mr. DEPUTY PRESIDENT: Assurance for what?

Mr. HARIDAS MAZUMDAR: Assurance to make a statement on the subject.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, reply to the short-notice question will be given after the facts have been ascertained from the jail authorities.

Mr. DEPUTY PRESIDENT: Then do I take it that you do not press your adjournment motion?

Mr. HARIDAS MAZUMDAR: No, Sir.

Mr. DEPUTY PRESIDENT: Thank you.

The House will now resume General Discussion of the Budget.

General Discussions on Budget.

Mr. BIRENDRA KISHORE ROY CHOWDHURY: Sir, I need not keep it a secret to myself that my heart virtually sinks as I rise to speak on the budget statement of the Hon'ble the Finance Minister. He has brought home to us the truth that the whole governmental and economic organisation has gone out of gear in this province. Even then, Sir, I am not sure if the Government has any clear idea as to the difficulty of the task it is to discharge or the gravity of the problem it is expected to solve in this province. This is illustrated by the fact that while last year the Government budgeted only for an expenditure of 30 crores, according to the revised estimate such expenditure will be exceeded by 17 crores,—and this without bringing the solution of any of the problems in our hand. The Hon'ble the Finance Minister has again estimated the expenditure of the coming year at 37 crores. Would I be very wrong, Sir, if I say that this estimate will prove as illusory as that of the original estimate for the last year?

The Hon'ble Finance Minister has specifically referred in his statement to some of the urgent problems of the day and taken us into confidence as to the policy which the Government has chosen to pursue in respect of them. He has naturally placed the first emphasis upon the production of more food in this province. None will deny that this is the crying need of the hour. If Bengal today is almost in a state of dissolution, we can attribute it mainly to the shortage of wholesome food. Although the province was at one time the granary of India, for decades past its agriculture has not been in a flourishing condition. It is not my desire on this occasion to go into the details regarding the causes of this deterioration. What is wanted is that a comprehensive plan for the permanent improvement of agriculture should first be formulated and then it should be vigorously and efficiently operated. I have not, Sir, heard so far of any such scientific plan being actually formulated by the Government. Mr. Goswami has only informed us that an agricultural adviser has been appointed, three experts are being imported from New Zealand and that three hundred additional agricultural officers are being recruited. We are yet in the dark as to the exact advice Mr. Elmhirst has so far tendered to the Government. The very fact that three hundred new men are being appointed and that experts are being imported, need not be a sufficient reason for us to be enthusiastic. We know from our experiences of the past that an army of officers may only provide an opportunity for patronage without ministering to the needs of the people and the requirements of the province. It is necessary for us on this account to know as to what advice the Government receives from its experts and how this advice is acted up to by the hundreds of new and old officers of the Government.

Mr. Goswami has referred to the crop statistics which are now being collected by the Government evidently with the object of improving production in Bengal. In this connection, he tells us that a plot to plot enumeration has been undertaken at the estimated cost of 23 lakhs of rupees per year and that simultaneously a survey by the method of random sampling has also been undertaken at a cost of 7 lakhs per annum. I do not see, Sir, why survey by the method of random sampling has been regarded as necessary when a plot to plot survey has already been taken up. So far as I know, the method of random sampling is resorted to only by way of avoiding the surer but far more expensive method of plot to plot survey. The former is regarded as a rough and ready alternative to the latter. It passes my understanding as to why both these methods should be resorted to simultaneously. It seems to me that an additional expenditure of rupees 7 lakhs a year has been undertaken without any reasonable grounds. Besides, may I ask, Sir, as to what the Government will do if the results of the two surveys differ considerably from each other? Would I be unjustified if I say that the solution will be postponed in view of such possible disagreement?

The Hon'ble the Finance Minister has given us an idea as to what is being done for the "Grow-more-Food Campaign". In this connection, he tells us that improved seeds are being distributed and that manure is being provided. But, Sir, our experiences of the past regarding such distribution have been very unhappy. We know that in the past and possibly at the present time also, jute seeds are supposed to be distributed for growing high quality jute. But unfortunately in many places it has been found that a definite quantity of such seeds moves from the stockists to the distributors and then reverts from the latter to the former. The quantity remains constant but its circulation is certainly very rapid. Theoretically and on paper, the distribution is made on a large scale but actually the growers profit very little by such paper distribution. It is time for the Government to see that in regard to the "Grow-More-Food Campaign" also the distribution of seeds and manure does not take place on this old basis. I have no doubt that the Government is serious about making the campaign a practically successful one and not merely successful on paper. But if this is to be done, more attention needs to be paid from now on.

I should, Sir, speak a few more words about this "Grow-More-Food Campaign". The Hon'ble Minister has dwelt at some length upon the replenishment of live-stock and the development of fisheries in Bengal. As to the first, the Government scheme of establishing a Cattle Breeding Station in the district of Nadia may not take us very far. Mr. Goswami himself has pointed out that the area in which the station is to be located has been depopulated by malaria. In such an atmosphere the scheme, if it does succeed at all, will certainly be a very long-term affair. Meanwhile, the problem of live-stock for purposes of cultivation and milk and meat supply has become very urgent. In many places the peasants have been put to a considerable difficulty in matters of cultivation for want of necessary cattle. As for milk, it is common knowledge that from many villages it has disappeared altogether and in towns what is available at an exhorbitant price is only an apology for milk. To meet this emergency it would have been wise for the Government to import cattle from other provinces and distribute them at reasonable prices among the people. This short term policy should have accompanied the long term one of establishing a breeding station

Bengal, Sir, is pre-eminently a fish-eating province. But the condition of fish supply has become so miserable as to create acute difficulties for the consumers. In fact, fish has disappeared from the table of many householders in the province. This is true not merely of big cities like Calcutta but also of many of the villages. When fish sells at Rs. 2-8 per seer, it can be imagined how much of it an average house-holder may purchase for his family. The result is: people are being devitalised and becoming a prey to all the fell diseases of which we hear so much at the present time. Ever since the beginning of this century the Government has made efforts to improve the supply of fish. But in the words of the Hon'ble Minister such efforts have been so far only spasmodic. I am not certain if the present efforts of the Government for re-organising Bengal Fisheries will not also be characterised by some future Finance Minister as equally fitful and spasmodic. The immediate necessity is the re-habilitation of the fishermen who as a class have become completely disorganised as a result of the last famine. It is my hope that the Government will pay immediate attention to this problem.

Sir, I am glad that the Hon'ble Minister has put considerable emphasis in his statement on the steps which the Government has taken and is proposing to take to administer medical relief to the people and improve the present public health conditions of the province. It does not require much investigation to know that the whole province is in the grip of fell diseases, like Malaria, Cholera and Small-pox. The ravages so far committed are terrible. No exact figures are yet available as to the number of people who have already been carried away by those diseases. But the lowest estimate

of those who know anything of the conditions in the villages is that at least five million people have already become fatal victims and many hundreds of thousands are likely to succumb in the near future. The list of hospitals and the supply of doctors to which the Hon'ble Minister has made reference appear to me to be too inadequate steps for meeting the crisis. In view of the fact that the whole province is in a state of collapse, the Government ought to have been more energetic than it has been. What is more regrettable is that instead of doing its own work in its own sphere, it entered into an unseemly controversy with the greatest local body of this province. There was really speaking no occasion for such a controversy. To pick holes in the policy and programme of work of another body while the Government's own policy remains so defective and requires so considerable change, was at least unwise. Besides, the Government of Bengal ought to have known that the three doctors on whose testimony it rushed to declare the Corporation lymph unfit for use might be eminent men in their own fields of work, but they had not the requisite qualifications as prescribed under the Drug Act, 1940, to inspect a laboratory like that of the Vaccine Laboratory of the Calcutta Corporation. In any event, Sir, it is my hope that the Government will make amends for the hasty action it took and proceed to mind its own business in fields where its attention is so much due.

Before, Sir, I close this speech, I should refer to the observation of the Honourable Minister regarding the Rowlands Committee which the Government appointed sometime ago. It is unfortunate, Sir, that the Committee took evidence *in camera* and gave no opportunity for public discussion of such evidences so far. I hope, however, that the report will be published in full together with evidences as soon as such report is submitted to the Government. There is no doubt that the whole administration is in a state of inefficiency in this province and this House should have an opportunity of discussing the recommendations of the Committee for improving the administrative machinery in this province before they are carried out.

Mr. KAMINI KUMAR DUTTA: Sir, it cannot be denied that there is an atmosphere of unreality in the discussion of the Budget in this House. We have to admit that there is no sanction behind our discussion at all. And why in this House only, even in the other House there is the same atmosphere of unreality, although there is at least a semblance of reality there. I shall not deal with the details of the Budget. I would like to consider the Budget only from a general aspect. I think that the Budget of this year is a correct index to the trend of administration that is prevailing in the country at present. If it is studied carefully and scrutinised, it would reveal absolute want of any policy for the welfare of the people. The only feature which is prominent throughout the whole Budget is nothing but deficit and heavy indebtedness. Reasons have been advanced for it in the statement of the Hon'ble Finance Minister. I must admit and admit very frankly the wonderful power of the Hon'ble Finance Minister to cloak the most ugly facts with a very decent garb. I have known him in my fairly long political career and I am fully conscious of his ability in this line. Perhaps he has very few equals in this art in the field of politics and debate and I wish heartily that this ability had been applied and devoted to a better cause.

Now, as I have already said, the Budget has two predominant features—deficit and debt. A little scrutiny and study of the figures would show that the root cause is nothing but incompetency. Incompetency alone would not have been so harmful; but unfortunately in the present administration incompetency is accompanied by corruption which is more harmful to the future of the province and to the future of the nation. The deficit and indebtedness are not matters of accident. It is the inevitable result of the policy, if it can be called a policy at all, which has been pursued by the present administration. The whole administration is permeated by a craze for nepotism and a spirit of partisanship. It is a patent fact—a fact proved in the courts and also in the various spheres of the public life of this province.

Corruption is rampant in almost every lair of the administration of the province. This corrupt policy is not an offspring of any extraneous development. It has got its root in the administration itself and it is a natural result. It is not the illegitimate child but the legitimate child of an illegitimate administration. Party Government there is, I do not say in all parts of the world, but in some of the countries. But party administration should not be carried to the length of taking away food from the mouth of the people of the country for helping partisanship. It is a fact, Sir, that even in regard to the food administration a spirit of partisanship prevails and the present administration is responsible for the deaths of thousands of our countrymen. It was not want of sufficient foodstuffs which was responsible for these deaths—food there was enough, enough food came from outside the province—it is the mal-administration of the province that was responsible for these deaths and it is no exaggeration to say that for the death of our countrymen the present partisan administration is to a very large extent responsible. I think it is time to cry halt and to see that the administration is not made an asylum for place-hunters.

The Budget should be carefully considered from that standpoint and the Ministry should take warning that things ought not to run along definitely partisan lines any further. The country is greater than any party, whether it is Congress, Muslim League, Krishak Praja or Mahashabha. I must not be understood to hold the brief for a party which is opposed to the present Coalition Government. Let any party be at the helm of the administration but let that party conduct itself honestly. If so, I can assure that all political parties in the country will join their hands, will extend their co-operation in saving the people of the country. But it seems the present administration has got entangled in the cobwebs of partisan administration and they find it very difficult to extricate themselves from it. Indeed, when one studies the Budget, one shudders to think of the future of Bengal? To what doom are we dragging ourselves? Are we to place ourselves in the hands of unscrupulous profiteers and corrupted officials? If the people have to live, they will have to assert themselves. I can give one warning to the present ministry that everything has its limit and if you carry too far it will break and when it will break you do not know what shape it will take. You are at present deluding people with communal cries but a time will come when people will refuse to be deluded any further. They may assert themselves and break the tin gods. As I said in the very commencement of my speech, I am only dealing with the Budget in its general features. The Hon'ble the Finance Minister in his Budget speech says "Thanks to careful planning and the effective execution of the threefold programme of production, procurement and distribution of food, Government have been able to redeem their pledge". Sir, what was the pledge? "There shall be no famine in 1944"—this was the pledge. The Hon'ble Minister at the very commencement of his statement takes pride in that. Of course, ostensibly there has been no famine in 1944. People were not dying in the streets as they did in the previous year. But I will ask the Hon'ble the Finance Minister to lay his hands on his heart and ask his conscience if really there was no famine in 1944. Of course, if by famine you mean absolute want of food, complete starvation and death following it, there was perhaps no famine; but is it not a fact that the whole nation did go under-nourished, and was there no mal-nutrition in the country? Did our future generation, the younger ones get sufficient milk or enough food for their growth? Are we getting enough food for our healthy growth? Are we not anyhow keeping our skin and bone together? Can it be said that the country has got enough food for the population? Is it not a fact that we are getting rotten rice and other bad quality food-stuffs which are causing diseases which the doctors are failing to diagnose? Even the other day I asked an eminent physician of Calcutta about some of the diseases which were prevalent in the town. He says that it is impossible to find out the root cause now because of the highly injurious elements that are present in the

rotten rice and other stuffs which are being given to us by Government as edible articles. Who does not know that the mustard oil that is being supplied is unfit for human consumption? That is why new diseases are coming in and more horrible diseases may come in. Therefore, as I said, the Finance Minister's statement is not correct that there was no famine in 1944. There was no famine outwardly, and there was no complete starvation; but the nation was half-starved and under-nourished. Compare with this the state of things in other countries which are engaged in war where they care for the life of the nation, where they care for the future of the country. They consider that the nation must grow up healthily and ably, and that it must not be a nation of decrepits. Now by creating a nation of decrepits, can the Hon'ble the Finance Minister take pride and say that there was no famine in 1944, and that the people had not to see thousands of people dying for want of food like dogs and cats on the streets? If that sight has been spared, we see no reason to be thankful to the administration. You are killing the nation slowly. It is a slow death that has been prescribed as a result of the mal-administration of food. Well, in his financial statement, in the very next page, the Hon'ble the Finance Minister has very aptly remarked—and I agree with him—that "It has been increasingly borne in on me during the last two years that personnel even more than finance is our real bottleneck." I see that it is really so. Personnel means efficient and honest personnel. There is a superfluity of officers,—there is no want of officers,—but there is want of officers who can really serve the cause of the people. So the Finance Minister has, after all, uttered a truth. We only wish that this lesson might not be lost upon the administrators, and that instead of a host of corrupt officers attempts are made to appoint honest officers who love the people, who love the country and who love to serve the people of the country.

Next, I turn to the statement of expenditure necessitated by war conditions and the famine and its aftermath, the total figure of which amounts to 61 crores of rupees. For war conditions, certainly the administration is not responsible but for the famine and its aftermath surely this Government is responsible. Was the famine due to the failure of crops? No, the famine was due to maladministration of the food situation in the country. It was a man-made famine. However, the Finance Minister says that on account of the extraordinary expenditure which comes up to a very huge figure of 61 crores; the Budget is a deficit one. Out of these 61 crores, he ascribes the loss due to the Civil Supplies Department's trading operations for the last three years at 22 crores. In his financial statement it is said that this loss was incurred in the main due to the sale of foodgrains to the public at prices below those at which they were purchased, and to de-valuation of Government's stocks as a result of progressive statutory lowering of price levels. But in a very laconic sentence it has also been said that "there are other contributory factors".

Sir, we refuse to accept the statement that this loss is due in the main to the sale of foodgrains at prices below those at which they were purchased. The public have some experience of the working of this department, and they know that the cause lies somewhere else. It lies not only in its allowing food-stocks to be damaged while people were dying in thousands on the streets, but also in allowing the food-stocks to be converted into a condition which would render it unfit for human consumption so that they might be sold at lower prices. Even so, that is not the main cause for this huge loss. The account books in the godowns of the Supply Department may perhaps show that so many lakhs of maunds of rice had come in but did they really come in or were they only figures on paper in account books? In respect of foodstuffs stocked in Government godowns, we understand an explanation was given that some quantities of food-grains were eaten up by rats. I had a discussion with an officer myself on this point. If some quantity of rice had been eaten up, it was eaten up by human rats and not by

ordinary rats. I can now give one concrete illustration for the information of the Hon'ble Minister and he may be pleased to enquire into that. He may know that Government had a godown of food-grains at Chandpur in the district of Tippera. There was a huge stock of rice and other food-grains there. It was placed in charge of the Civil Supplies Department at the time of which I am speaking. There was a case in a court in connection with shortage of stocks in the godown. The case is no longer *sub judice*: it has been disposed of. The Crown has failed in the case and it has ended in acquittal. The British military officer in charge of the godown was a witness in the case and I had to cross-examine him. Very honestly and openly he said that there was no verification of the stocks in the godown—no verification had ever been made. I asked him whether he could give me assurance that the goods stated in the papers were really received. He said it was impossible to say. So no attempt has ever been made for verification at all. The stock was much less than it was stated on paper. I asked if there was pilfering and if pilfering was possible. He said God only can say that: pilfering is quite possible. Not only he but the Civil Supply Department officer who was in charge prior to the military officer was also a witness. He was also asked whether there was ever any verification of stock at all. He said "no". I also asked him if he could say that the stock stated in the papers tallied with the goods actually stocked in the godown. He said he could not say that. The man charged was thus acquitted and the officers of the Civil Supply Department were found to be corrupt. The Civil Supply Department officers tried to put the burden on the innocent man to make a scapegoat of him. But they failed in their ugly attempt. So I say that the true causes have not been really given for this deficit in the statement of the Finance Minister. What is the reason for this? We know,—I need not mention names,—that even some of the members of the Legislature who were following some other avocation are now big contractors, because for them to be contractors in the Civil Supplies Department is more lucrative than to follow more honest profession. They are adopting this sort of nefarious means of earning livelihood. Would they not have to answer once at least before their own God and country for the mischief and havoc they have been creating in the country. Sir, the causes attributed by the Hon'ble Finance Minister for the huge loss in the trading operation are not the real causes. The real cause lies somewhere else. Stock was allowed to be damaged. Unreal figures are allowed to creep into the account books and instead of having procurement through the ordinary and honest channel of trade, bogus commercial agencies were created. People who had no experience of commerce and trade have suddenly blossomed into tradesmen through the kindness and patronage of the Ministry; and the result is inevitable. So, the root cause ought to be enquired into. As I said, this Budget is an index of the policy of the administration, an index to the trend of the administration now prevailing in the province and also to the doom we are hastening into. I propose now to dwell on the "debts", which according to the Hon'ble the Finance Minister "stand at Rs. 11 crores on the 31st March, 1945, and will reach 19 crores on the 31st March, 1946." The dead weight of this heavy burden has no counterpart in any of the other provinces either in its magnitude or in its dimension. We have no personal experience of the other provinces but as we have seen from the newspapers: in Sind there is no deficit, there is no deficit either in Bombay or Madras. Only the Budget of Bengal is a deficit one. So, naturally one is inclined to think that there is something rotten in the state of Denmark. But why the Bengal Budget is rotten? There is that excuse, namely, war conditions. But war conditions are prevailing everywhere in Europe, and in the whole of India. (Mr. Hamidul Huq Chowdhury: They are eating rats.) You have not gone there. They are eating rats and here the rice is being eaten by human rats. (Mr. Hamidul Huq Chowdhury: Yes, Burra Bazar human rats, your friends.) Burra Bazar rats are not our friends. We know that in the Burra

Bazar there are black-marketeers, but we have to admit with shame that even members following other professions, members who had given pledges to serve the country have become black-marketeers. (Mr. HAMIDUL HUQ CHOWDHURY: They are your political friends.) (Mr. HARIDAS MAZUMDAR: Your friends too.) We have every reason to think that the figure of assets as given by the Finance Minister in his Budget estimates would prove to be really illusory. So, really the debt would be much higher and together with the interests accumulated on the debt the total amount would stand at an appalling figure. Therefore, 19 crores would not be a true figure; as a matter of fact, it would be a heavy burden on the administration as well as on the people.

The Hon'ble the Finance Minister has tried to give a rosy picture of the future plans. Plans in themselves cannot be condemned until they have been carried into effect; but, Sir, it has been seen that there are plans which have never been translated into realities.

Now, as regards the Department of Agriculture which deserves consolidation and which is responsible for the supply of fish to the people, I remember that on several occasions I had to speak about it but it has not been heeded. Fish is a commodity of which there is a clear shortage in the country and its culture requires special attention. It is a pity that in Bengal which borders on the sea and in which there are innumerable inland rivers there should be shortage of fish. However, let us hope that these schemes will not remain only on paper, but that they will be put into operation by a department run by honest and efficient officers.

I need not dilate further as to the details of the various demands, because our discussions, after all, have no value. They will be discussed in some other place where each of these heads would be discussed on its merits and resolutions would be adopted. We have not the necessary sanction for enforcement of our decisions; so, I would say: let us try to drag this country out of the quagmire of corruption, inefficiency and nepotism.

There is another very important item, namely, cloth which has become a problem very difficult to solve. As we often say, food and cloth are two very essential necessities for every human being. With regard to its supply, the usual excuse is that it is the Central Government which is responsible for its supply. There is no doubt that the Centre is responsible for supply of cloth but the distribution of cloth is your function.....

Mr. HAMIDUL HUQ CHOWDHURY: It is with your friends the Burra Bazar people.

Mr. KAMINI KUMAR DUTTA: My friend seems to have developed a bugbear about Burra Bazar. I am inclined to think that Burra Bazar has infected him and he has in his turn infected Burra Bazar. Is it not a fact that members of the Provincial Textile Committee are making fortunes out of the Burra Bazar cloth dealers? There is an allegation that one particular member of the Textile Advisory Committee distributes his favour to those who would insure in his Company. There are other members—I need not mention their names—about whom there are serious accusations and allegations. So there is no need to speak of Burra Bazar. Burra Bazar has been corrupting the members of the Textile Committee and you are corrupting the Burra Bazar. You are the real source and cause of corruption. The authorities are in your hands, and it seems that Burra Bazar has infected them and they are infecting the Burra Bazar and so they are helping each other. I hope that my friend sitting on the other side may know of a gentleman in my district, a very old gentleman, not a Congress man, but a staunch pious Muhammadan. He came to me one day,—he is verging on 80,—and asked me, "will it be illegal if we, ten thousand strong, both male and female, walked naked to the house of the District Magistrate and asked for cloths? We have no cloths to wear, neither ourselves nor our women-folk", I found tears trickling down his eyes when he described how his

family was living. He is not a poor man but a gentleman of some position and influence. Really, Sir, we have been driven to this state in which many of us have to keep indoors for want of cloths. Thus we find that the cloth problem is becoming a menace to the country. And attempts to throw the blame and the burden on the sholders of the Central Government are cowardly attempts. Whatever cloths you have got should be properly distributed so that they might reach the people, so that any how we might hide our nakedness with the help of that. This problem is also a most important problem and merely bewailing our lot will not do. The time has come really when Bengalis, both Hindus and Mussalmans, should think of Bengal first and then of other things. Simply condemning the Niemeyer Award will not help us in the least. Bengal may herself so arrange things that no Niemeyer Award will stand in her way and all the sources of taxation will be in our own hands. Laying stress on the defects and shortcomings of the Centre will not relieve our sufferings in the least. We must face the whole fact and we must boldly take in hand all the factors and grapple with the situation as best as we can.

Mr. HARIDAS MAZUMDAR: Mr. Deputy President, Sir, the Hon'ble Mr. Goswami has placed a Budget before the House which he will himself admit is a Budget of confusion and utter despair. Placed side by side with last year's Budget, it exemplifies a rake's progress in useless and wasteful expenditure. The number of deaths as gathered from Government report in Bengal in 1943, the famine year, was 18,73,749. The normal death rate of the province in 1939, the last pre-famine year for which the report of the Public Health Department can be purchased in the Government Book Depot, was 10,90,530. The number of deaths during 1944 up to September 30 was 12,79,284, as stated recently in the Central Assembly by Mr. J. D. Tyson, the Health Secretary. Diligent search at the Writers' Buildings revealed that the statistics of 1944 posterior to September had not yet been received from all districts. Under the circumstances, we can only take the average and roughly estimate that the total figure for 1944 will be not less than 6,86,000 which is about 90 per cent. of that of the famine year and 50 per cent. higher than that of the normal year. There is every likelihood that deaths were more numerous in the winter months than in the previous nine months. The statistics of death of the full year have been published in newspapers of one district only, namely, Birbhum, and we find that in 1944, 40,109 persons died there as compared with only 268 more persons in the fateful year of 1943. Thus, on actual and sample, both the calculations show that so far as deaths are concerned the situation in 1944 did not appreciably improve on what it was in 1943. Bengal is being depopulated under our eyes. The Bengalee proverb says that there is no worse abuse in the vocabulary than death. Then what do the huge expenditure and the tall talk of the Finance Minister about rendering immense relief in numerous directions amount to? In my budget speech last year I said that there was a story current among jail birds that if any one wanted to send 2 annas to a prisoner in jail, he must send a rupee, the 14 annas being meant for the 7 intermediaries within the prison through which the money must pass and further apprehended that the same fate might overtake the heavy expenditure incurred by the present Government. Had the case been otherwise, the heavy mortality of famine conditions would be a thing of the past. The Finance Minister has waxed eloquent over the wishful thinking of hostile critics, who predicted the imminence of a second famine. But if there be nothing in a name, however you call the inability of the vast majority of our people to buy rice at 4 to 5 times the normal price, it will spell equal disaster. The same has happened hereto. The average annual income *per capita* in rural areas in India was estimated at Rs. 22-8 before the war. 90 per cent. of the labourers of large scale industries in this province being non-Bengalee, it can be said that Bengal really lives in her villages where on account of the absence of any law prohibiting land-alienation to non-agriculturists as in the Punjab or the Sonthal Parganas—a wholesome law

which even the Bombay Planners recommend for the whole of India—the number of landless labourers has been on the increase long before the famine. The Floud Commission records that agricultural labourers represent 29 per cent. of the population and that percentage of families holding 2 acres or less is 41·9 per cent. and the percentage holding between 2 and 4 acres is 20·6. This was in 1940. The famine has made matters incalculably worse. What must be the effect of the present price of rice on such economy? Semi-starvation leading to disease and death.

It is now clear that no Government, however resourceful, can tackle this gigantic problem merely by charity. The Budget reveals that only 18 lakhs of people have been benefited by the scheme of selling foodgrains at reduced rates. This touches only 3 per cent. of the population where at least 90 per cent. are affected. The first and foremost duty of a Government must in the nature of things be to govern. If hoarding and profiteering could be stopped with a strong hand as in Bihar, much need for relief would cease altogether. The Governor of that province recently remarked that all inefficient control was a nuisance and has actually abolished restrictions on the movement of rice and paddy by carts. Coarse rice, though much better than what we eat in Calcutta, is selling in open markets at Modhupore at Rs. 10 per maund and sometimes at Rs. 8 at Dumka. I have explained more than once in this House how by simple administrative measures, such as seizure of immense stocks under the Defence of India Rules, that Government made the long arm of law felt by hoarders and profiteers towards the end of 1942 and the beginning of 1943 and thus prevented what might easily develop into a tragedy equal to that of Bengal. Sir Thomas has recently taken credit for maintaining all along the price level of rice at an inordinately low figure compared with that of Bengal and he is fully justified in doing so. His experience of Indian conditions as an administrator is long and his sympathy for the welfare of the masses is patent -to everybody. His enthusiasm for work is remarkable. At Deoghur he was found to supervise distribution of seeds to the cultivators himself. I mention all these facts only to show that an efficient food administration in war time and in a province equally ridden by the hoarding and profiteering fraternity not native to the soil, cannot be achieved except by the hardest toil and an administrative machinery as pure and honest as possible in human conditions. The Rowlands Committee is holding an enquiry on this very subject but as depopulation of a fair province, once India's foremost, is going on apace; time for elaborate research is over and it will be in the fitness of things if the services of such an excellent administrator near at hand can be requisitioned once again as food administrator with plenary powers. As an humble administrator myself, I may suggest that at least half of the I.C.S. men here both British and Indian and half of the Subdivisional Officers should be replaced by men from Bihar which once formed part of Bengal. It is clear to the meanest intelligence that Lloyd George's "Steel Frame" is simply not functioning here and stories of important executive officers lining their pockets reach our ears *galore*. If the permanent services have been corrupt and consequently inefficient and that for too long a period and the whole atmosphere has been vitiated, the only remedy is a thorough overhaul and constant transfer from one place to another. Unless proper persons for spending money can be found, mere budgeting astronomical figures at the expense of the tax-payer will be of no use. I shall cite here a few cases as concrete illustrations. After the onset of famine six months elapsed before epidemics broke out but the Government was caught napping at that time in this respect and the consequence was disastrous. Has any lesson been learnt from this? Only recently the Government nullified the authority of the Calcutta Corporation with regard to vaccination—a step which seems very drastic indeed when it is remembered that this institution enjoys the widest franchise of any representative body in India and is the handiwork of that father of Indian nationalism, I mean, Sir Surendranath Banerji. But I am not holding any brief for Calcutta Corporation. This outrageous

measure was adopted when the epidemic of smallpox was already raging in full force in this city. If it were done at all with all lack of grace, could it not be done in time? A British member of the heaven-born service has of late indulged in a long diatribe on the dilatoriness of the Corporation. But had the gentleman displayed half the zeal in devising vaccination at least a month before the smallpox season, many deaths might have been prevented. I have already mentioned that the figures of death in 1944 have not yet reached Writers' Buildings from many districts though it is near the end of February. The figures up to the end of September were compiled only under the pressure of the Central Government. All people interested in the welfare of this famine-ridden province are anxious to know death statistics which are the only objective data for determining whether deterioration in the situation has been checked. A business-like Government would have kept the figures constantly before its eyes as the acid test of relief measures involving an expenditure of 6,81,000 in 1944-45 and 3,67,000 in 1945-46. Many economists of other parts of India have written to me for these figures while Bengalee scholars deplore their absence. If some District Officers can supply them in time, why not others? How can general policies of the Government be determined without relevant facts and figures? This shows that irresponsibility which brought about the famine still continues. The Publicity Department which aims at a graphic description of high officials moving about the streets of Calcutta under a blazing sun—all this to bask under the sunshine of somebody's favour—should have published the death statistics punctually every month.

The Grow More Food campaign accounts for an expenditure of Rs. 1 crore 12 lakhs in 1944-45 and 77 lakhs in 1945-46. Agriculture receives 2 crores 22 lakhs in 1944-45 and 2 crores 4 lakhs in 1945-46. This is nearly one-third of the total expenditure of the province in 1910-11, amounting to about 6½ crores. At that time East Bengal was excluded but Bihar and Orissa were included in this province. Had our Ministers exercised that prudent economy in expenditure as Sir (then Mr.) William Duke did in regard to the expenditure of public money, the results would have been satisfactory by now. Bengal is at present passing through a severe scarcity of mustard oil and an epidemic of *beri-beri* is the result. Twelve months ago I said in this Council while discussing the Budget that excellent results might be obtained only if Government started some demonstration farms in East Bengal districts showing the cultivation of mustard seeds. Forty or fifty years ago nearly 100 oil-mills of Calcutta and Howrah, all owned by Bengalees, were worked with mustard seeds grown in the province and boatloads used to arrive at Hatkhola market from East Bengal. Led by the prospect of higher profits in some other crops for a temporary period peasants gave up cultivating mustard seeds and the mills had to depend on seeds from Bihar and United Provinces. Astute businessmen of those provinces started mills there and the Bengal mills could no longer compete with them having to pay freight for 3 maunds of mustard seeds while the Bihar and United Provinces merchants had to pay freight for one maund of oil, the finished product of 3 maunds of seeds. In this unequal competition the Bengal mills had to be closed down, and their huge machinery was sold as scrap iron which was very probably exported to Japan to be used now as bullets on Indian soldiers on the Arakan front. As the General Secretary of the United Bengal Association of which Sir P. C. Roy was the Chairman, I have been trying my best to persuade the Government to pay some attention to this promising field of business but in vain. Now that huge sums beyond the dreams of former Agriculture Ministers are being spent, something concrete should have been achieved. Judged by palpable results, the record of the Agriculture Department is a big zero and when pressed on the question the Hon'ble Minister blames God. Blasphemy is certainly reprehensible in men of our age. According to the census of 1931, the number of *Kolus* and *Telis* was about three lakhs. These people and an equal number of Moslems specially in East Bengal were

formerly maintained by the occupation of mustard oil manufacture. Re-introduction of mustard seed cultivation means the rehabilitations of so many of God's creatures. Let me hope that by the time of the next Budget I shall not have to repeat this tale of woe and a heavy drain of wealth of Bengal to other provinces which rankled in the mind of the late Sir P. C. Roy will stop.

In regard to jute the Government has, of late, shelved all responsibility on the Central Government. But the Government of India Act is explicit on the point that crop regulation falls in the Provincial List. We are not aware that the Government of India has applied Defence of India Rules in this respect and it is up to the Ministry to enlighten us on this point. While Indian economists are unanimous that 4 annas of the basic acreage will be quite sufficient for present world requirements, the Government has of late fixed compulsory restriction at eight annas. The uselessness of such fixation will be evident from the fact that the illiterate jute growers, 90 per cent. of whom are Moslem, instead of receiving correct guidance at the hands of a Moslem League Ministry had to depend on their own judgment and actually sowed 5½ annas. What is then the use of this costly force of jute restriction. This proposal of restriction was originally mooted in the old Bengal Council by members like Dr. Naresh Ch. Sen Gupta only because excessive cultivation of jute led to a slump in prices much to the delight of British jute interests on the Hooghly. If instead of fixing a scientific acreage that will keep supply of jute in tune with its demand so that by the play of inexorable economic forces the strange disparity between the prices of raw and manufactured jute may be wiped out, the Ministry declare an acreage which the cultivators even in their ignorance cannot exceed and which pleases the heart of the manufacturers, does it not then barter away vast Moslem economic interests for the salaries of its members? I am sure that Headmasters of our schools teaching Bengalee boys English idioms illustrate this as a case of selling one's birthright for a mess of pottage. The extent of loss of Moslem agriculturists on account of the present jute policy of the Ministry can be understood from the following figures:—

Jute produced—54,93,205, bales—2,74,66,025 maunds. Thirty-five seers of jute make 100 yards of hessian. Maximum price of jute fixed by Government Rs. 17 per maund, value of 35 seers at this rate Rs. 14-14. Price of 100 yards hessian fixed by Government Rs. 28-8. Manufacturing cost of this hessian not more than Rs. 3 (possibly Rs. 2). Reasonable margin of profit allowable to jute mills for this Re. 1. The undue gain made by jute mills per hundred yards of hessian, i.e., 35 seers of jute Rs. 9-10. This undue gain in 1 maund of jute Rs. 11. Total such gain in 2,74,66,025 maunds of jute of the last crop Rs. 30,21,26,275—over Rs. 30 crores. This represents the growers' loss. Similarly it can be shown that in the previous crop of 68 lakhs of bales, *i.e.*, 3 crores and 45 lakhs of maunds, the mills unduly gained and the growers unduly lost Rs. 37 crores 96 lakhs and this at a time when famine was raging in full force, rice was selling at Rs. 40 per maund and people were dying like fleas.

A hornet's nest has been raised about my ears since I published these figures in the *Amrita Bazar Patrika* and the *Nationalist*. The *Capital*, the organ of British mercantile interests in this country, has controverted that the cost of manufacturing hessian cannot be so low as Rs. 2 or Rs. 3. The President of the Indian Jute Mills Association in the annual general meeting of the Association on the 10th February clearly alluded to my statements in the Press and averred that the manufacturing costs amounted to Rs. 10-8. Now, there is some common ground between these two assertions and let me at first discuss that. The huge excess profits tax paid by the jute industry to the Central Exchequer represent the loss of the grower. Could not the Ministry fix the minimum price of jute at such a figure as to leave no margin for excess profits but only for standard profits? The Hon'ble Sir Jeremy Raisman, one of India's ablest Finance Members, who

has already given proof of his regard for India's down-trodden millions, stated in the Central Assembly on the 20th March, 1943, that "if those who carried on the industry were content to trade upon a basis which left them nothing more than their standard profits, he would be quite happy. He would repeat that if that industry or any other industry would so organise itself as to sell its products at a price which would not yield profits higher than what they made in their standard period, he know how to base his budget on that basis." Words cannot be more unambiguous. In view of the fact that Bengal's poor millions have been passing through starvation for the last two years, the Ministry could certainly be less liberal to the mill interests. As regards the cost of production, one fact to be remembered is that the General Managers of jute companies received higher emoluments than the Viceroy. This is so only because the jute industry is practically the monopoly of the British. When Indian-owned mills first started competition which was bound to break the monopoly, the first League Ministry by its Ordinance, dated the 10th September, 1938, stopped it by the application of the arm of law. In this city the same British Managing Agents who control jute mills also manage collieries but European general managers of these concerns get emoluments of Rs. 2 or 3 thousands. If competition, which according to Professor Marshall is another name for economic freedom, could be allowed to operate freely, the price of jute would go up and that of hessian came down assuring the golden fibre of Bengal a more extensive world market. Apart from the General Managers, managers live in palaces on the banks of the Hooghly and the wages of even European spinning masters inclusive of residence and other amenities are more than those of our Subdivisional Officers. It is impossible for us to believe that the management of a jute mill is more arduous than the task of Lord Wavell in ruling this sub-continent. If these enter into the accounts, the cost of production cannot be less than what it is. This is a simple thing and as we Bengalees do not eat grass we can understand it. Government Cost Accountants are only too ready to pass accounts when submitted by Clive Street. If Indian mills went on carrying their competition, the Britons would not leave theirs to us, but would manage them on salaries of Coal Company Managers and Government Cost Accountants would then pass those wages bills with equal alacrity.

In spite of Mr. Shahabuddin's assurance nothing has been done for supplying leather at wholesale prices to Bengalee *Muchis*. Nor has yarn been supplied to weavers at those rates yet. If Depots could be started at Farashadanga, Santipur, Rajbalhat, Dacca and Tangail, the crux of the problem would be solved.

Mr. DEPUTY PRESIDENT: May I take it that there is no other speaker?

Mr. AMULYADHONE ROY: No, Sir, there are speakers.

Mr. BANKIM CHANDRA MUKHERJI: Mr. Deputy President, Sir, although I was not prepared to speak today, yet as there is no other speaker I will just begin and finish on Wednesday next. Sir, the Budget of the year 1945-46 as presented by the Hon'ble the Finance Minister discloses a state of things which taken in conjunction with what we find actually in the country is hardly imaginable. The Hon'ble the Finance Minister has characterised his Budget as a grand procession of figures, and he states that it is a measure of the impact of the War on Bengal. I am sorry to say, Sir, that this war condition has been taken advantage of by the present Ministry in order to get them out of the responsibility. But, as a matter of fact, if we take into consideration the real position in the country, we would find that the war has nothing to do with the jugglery of figures which is discernible in the Budget. I think the shamelessness that is implicit in these words should have put the Hon'ble Minister on his guard. It is not a procession of figures but a procession of the Hon'ble

Minister followed by an innumerable number of job-hunters and contract-seekers. This is a procession the length of which is interminable and the Ministers are, at the expense of the impoverished, famine-stricken and disease-ridden masses, showering benefits on the people who are promising to support them and who are keeping them in power. The Hon'ble Finance Minister has admitted in his Budget statement that Government have accepted responsibility for all famine orphans and he states that there are state-managed orphanages in various parts of the province. This clearly indicates that the Hon'ble Finance Minister and the present Ministry admit that Bengal was in the grip of famine in the year 1944. May I ask the Finance Minister as to why the present Ministry did not declare Bengal as a famine area in proper time, so that steps might be taken by the Central Government and we could also have received help from places outside Bengal to relieve the distress of the famine-stricken people of the province. I would remind honourable members what the Civil Supplies Minister said in his speech on the floor of the House on the 19th July, 1943, when famine conditions reached the highest peak. I quote his own words "my friend Mr. Bankim Chandra Mukherjee insists that Bengal should be declared a famine area, as if by a mere declaration of Bengal as a famine area the problem would be solved and people would be saved from starvation. If by a mere declaration of famine the problem is solved then I am ready to declare it one hundred times. Unfortunately mere declarations will not do. We have got to take certain steps to meet the situation. No kind of declaration on paper, no flamboyant statement would do. My friend has asked me to apply the Famine Code, but the circumstances of this distress are so peculiar that even application of the Famine Code will not do, but the principles underlying the Famine Code will help to solve the problem." I am sorry the Hon'ble Minister did not appreciate the legal position that was to follow the declaration of Bengal as a famine area. The Hon'ble Civil Supplies Minister should have known what effects follow on Government declaring that a certain area is a famine area. It is not a question of a flamboyant statement, as the Minister said. Honourable members are aware that the press was gagged and prevented from publishing real news about the condition of the people of Bengal about the deaths that were taking place, and about the famished people that were walking about the streets of Calcutta and other places. The Ministry purchased huge quantities of foodstuffs by the application of the Defence of India Rules and Ordinances, and seized stocks of rice and paddy lying in the godowns of private merchants but they were unable to make any effective and rapid distribution of the foodstuffs and were simply sitting tight over them after they were seized. Instances where honourable members of this House approached the Civil Supplies Department for release of some of these stocks for the distressed people without effect are not uncommon.

I would remind honourable members what I said before in this connection. Soon after the Burdwan flood in July, 1943, I went to Burdwan for organising famine relief in the villages which had been washed away by the Damodar flood. I approached several merchants there dealing with rice and the rice-dealers promised to supply me with rice at Rs. 15 per maund if I could get a release order from Government although the price ruled at that time was Rs. 30 per maund. I approached the District Magistrate and some of the local members also approached the District Magistrate for the release of this stock. That was not done. I then approached the Hon'ble Minister in charge of Civil Supplies in this connection. He asked me to go to the Director of Civil Supplies. I saw him and I had a discussion with him for about an hour. He told me that he was not yet ready with his method of equitable distribution of rice that was lying under Government control and therefore he could not release the stock. I told him: "People are dying—you have got stocks—next door people are dying in the streets—can't you supply even a portion of the stock you hold, seized and stocked by you, to relieve

these people so that their lives might be saved"? Then I had a discussion with him for another 15 minutes whereupon he said that he was going to write for release of some of the stocks. But subsequently on enquiry from the District Magistrate it was found that nothing had been done. I had to get rice at Rs. 35 and Rs. 40 a maund for the purpose of organising relief work in the villages which had been completely washed away and the villagers had to be kept on a poa and a half of *chira* and salt for several days. What do we find afterwards? We find after one year that the equitable distribution system which was being framed by the Civil Supplies Department had not materialised and tons and tons of foodstuffs were allowed to rot in the Government godowns with the result that foodstuffs worth crores of rupees were thrown in the streets and destroyed. In the district of Birbhum, several thousands of maunds of foodstuffs were thrown in the tanks—foodstuffs unfit for human consumption. The fishes in those tanks where these rotten foodstuffs were thrown died and were found floating next morning. I may give you another instance. We know that the Berhampore Municipality wanted to analyse the *atta* stocked there in Government godown and seize it under the provisions of the Bengal Municipal Act in order to destroy the stuff. There was a tug-of-war between the Civil Supplies Department and the Berhampore Municipality. And what did Government do? Government took the help of the Defence of India Act—not for the defence of India from Japanese aggression, not for any enemy's work but for defence against the Berhampore Municipality for disclosure of the fact that in the Government godown at Murshidabad several thousand maunds of *atta* were allowed to rot and were rendered unfit for human consumption. Government would not allow this disclosure. An adjournment motion was moved by me in this House and it was replied to by the Civil Supplies Minister. I am not going to refer to that again, but afterwards we found that this *atta* which possibly the Civil Supplies Minister wanted to sell to the public was disposed of to a local merchant there and an undertaking was taken from him that the *atta* would not be allowed to be sold to the public for human consumption. It was destroyed and he was allowed to sell that *atta* as manure. Now, may I ask the honourable members to enquire from the Civil Supplies Minister or from the Finance Minister if they had any knowledge at what price this *atta* was sold. I am informed that not less than 11,000 maunds of *atta* which cost about Rs. 16 a maund or Rs. 1,76,000, was sold 11 annas a maund to that merchant.

We do not know how many people died of starvation. We do not think we would ever know the exact figures in this respect. We all know what happened in the Botanical Gardens where tons and tons of foodstuffs were found rotten and people could not pass by the side of the place where this *atta* was stored. Subsequently, when there was huge row over this matter, Government threw them away somewhere near the Howrah Municipality. Some honourable member says near the Hon'ble Mr. Pain's Garden. But I do not think that Mr. Pyne allowed his garden to be a dumping ground for this *atta*. Will the Finance Minister let us know the loss thus sustained? If a proper account is taken, I think it would be more than one crore of rupees and I will not be surprised if it is more than Rs. 2 crores. This portion of the deficit in the Budget is discernible.

Sir, from the Budget honourable members would find that crores and crores of rupees have been spent on the famine-stricken people but look at the condition of the masses at large. I am not including those fortunate few who are now in the good books of the present Ministry. But most of the foodstuffs did not reach the people. The Ministry has not been able to check the black-marketeers and the after-effects of the famine. Sir, the after-effects of the food supplied by Government to the people is noticeable now; they have weakened the condition of the people and that is why various diseases are prevailing in Bengal now. The Hon'ble the Finance Minister states that there has been considerable expansion during the

current year of medical facilities for sufferers from the after-effects of famine. He acknowledges that there is widespread disease prevailing after the famine of 1943. The Finance Minister says that a number of emergency hospitals have been started, namely, 62 hospitals with 100, 92 with 50, and 44 with 21 beds. These hospitals have now been opened in different parts of the province for the treatment of sick destitutes. This makes the total of Rs. 21,000 for a population of 7 millions, half of whom are now suffering from the effects of famine and are unable to get suitable medical treatment. The famine-stricken people have become so much weakened that wherever epidemics of cholera and small-pox are breaking out people have no power to resist these diseases, and the result is that the spread of epidemics could not be controlled.

On the 10th March, 1943, we find one honourable gentleman making the following reference to the previous Ministry. I am quoting his own words: "Last session I gave innumerable instances of favouritism and corruption on the part of the Ministry in dealing with the food problem. The favouritism is still ruling." This was on the 10th of March, 1943. I would request the honourable members to remember the date. "Favouritism is still ruling, and profiteering is still flourishing and black-markets are still being patronised and famine conditions are still prevalent in rural areas. I have just come from a tour of Noakhali district where paddy is selling at Rs. 10 per maund and rice at Rs. 15." Now, may I request the honour members to guess as to who could have made such a statement on the 10th of March, 1943? I would pause for an answer as to who could have made this statement on the 10th of March, 1943, from the Opposition Benches? As I have not got any answer, I will say that it is the Hon'ble Mr. Suhrawardy who made this statement on the floor of the Lower House. Now, Sir, such a statement was made by the Hon'ble Mr. Suhrawardy when he was in the Opposition. But what about his own Ministry. What about the prices in Calcutta and greater Calcutta where about 40 lakhs of people are being supplied with rice at Rs. 16 per maund. Up till the present moment there is no sign or hope that the prices of rice will be reduced so far as the people of Calcutta are concerned. Some time ago, Sir, in the Nationalist I made a statement to the effect that we have got definite information that Messrs. Ispahani and Co. was purchasing rice at Rs. 8 per maund in the eastern region. I wanted the Government to contradict my statement, and I wanted to know whether the rice that was being purchased by Messrs. Ispahani and Co. at Rs. 8 per maund in the eastern region was going to be supplied to Calcutta and greater Calcutta at Rs. 16 per maund, and we wanted further to know who was going to get the profit of Rs. 8 per maund—of course some amount of cost have to be deducted from it. But we did not get any reply, nor did any contradiction appear from the Press.

Let me now turn to the position of cloth. We have heard something in respect of the cloth position from my honourable friend Mr. Kamini Kumar Dutta just now. There was a discussion with regard to the cloth situation yesterday in the Lower House. I am not going to refer to it. I am going to refer to what has happened actually in this House. We wanted to discuss the cloth situation by means of an adjournment motion on the floor of this House. But the Hon'ble Mr. Suhrawardy stated that it is the sole concern of the Central Government, and that the Government of Bengal has nothing to do with it. At this statement of the Hon'ble Minister the Chair ruled the adjournment motion out of order. He did not like the adjournment motion to be discussed. A week or two later, Mr. Vellodi, the Textile Commissioner under the Government of India, came to Bengal and issued a statement after going to the various centres where cloth was being dealt with. He made a statement that the Central Government had nothing to do with the distribution of cloth; that was the sole concern of the Government of Bengal. So far as the Central Government was

concerned, the duty of the centre was merely to supply cloths to the Government of Bengal and the distribution rested with the Government of Bengal, and the Central Government had nothing to do with it. Now, Sir, we have heard from the Civil Supplies Minister over and over again that the Central Government has not given us sufficient quota of cloth, which Bengal is entitled to get; only 10 yards of cloth per head of population of Bengal has been supplied by the Central Government. Ten yards per head work out at two pieces of cloth if we calculate at ten hands for each cloth; ordinarily at the present moment cloths of 9 hands by 44 inches are being supplied but even if we take it at 10 hands, we get two pieces of cloth for the 60 million inhabitants of Bengal; if two pieces of cloth each for the 60 million souls of Bengal have been supplied by the Central Government to the Government of Bengal, we want to know whether the Bengal Government have been able to make an equitable distribution of them, whether the Bengal Government has been able to supply each individual with two pieces of cloth at least. I think then the people of Bengal would be quite satisfied if they got two pieces of cloth which was supplied by the Central Government to the Bengal Government. We have just now heard from our esteemed friend Mr. Kamini Kumar Dutta that a very respectable gentleman of the district of Tippera approached him and said that 10,000 men and women were ready to go to the District Magistrate stark naked, because they did not get even one cloth during the whole of the year. That is the position and we want an explanation of this. We want to know from the Civil Supplies Minister where are the two pieces of cloth which were supplied for each individual of Bengal's population, where have they gone? Have they gone to the black-market? We have heard that cloth is being sold by people who are dealing in shoes, and absolutely know nothing of cloths at all. What about these bold assertions? Can they be contradicted by the Government? We want to know why Bengal Government have failed to supply two pieces of cloth for each individual which the Central Government gave. If they have failed, if they have not been able to supply the two pieces of cloth to each individual of Bengal's population as granted by the Central Government, this Government is to be blamed and they ought to go out of office as they have not been able to manage the thing properly.

Now, Sir, this is the position as far as cloth is concerned. Now what is the position so far as distribution of cloth is concerned we want to know. We want a clear statement either from the Hon'ble Finance Minister or the Civil Supplies Minister, whoever is responsible for this, to make a clear statement as to the position. What is the total quantity of cloth that has been received from the Central Government by the Bengal Government and why is it that they could not supply the cloths to each individual of Bengal's population at the rate of two pieces per head? I hope the Finance Minister would take a note of this. I think I may stop now because the time is up for adjournment.

Mr. DEPUTY PRESIDENT: You want to continue on the next day?

Mr. BANKIM CHANDRA MUKHERJI: Yes, Sir.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, out of deference to the wishes of the members of the House we have decided that 27th February shall remain as a holiday on account of *Fateha Dwaz-daham*. Budget discussion would continue from 28th and at the end of Budget discussion supplementary estimates would be presented.

Mr. DEPUTY PRESIDENT: Before I adjourn the House I may remind the honourable members that some Bills passed by the other House had been introduced here a few days ago and in respect of one Bill the report of the Select Committee has been presented to this House. Up till now no notice of amendment has been received from any honourable members.

The dates for the receipt of the notice of amendment were provisionally fixed as follows: In the case of Bills introduced in the Council, February 23. In the case of Bills coming from the Assembly, February 26.

But in view of the fact that these Bills are of a non-controversial nature, I have instructed the office to receive notices of amendment up to 11 a.m. on 28th February, in respect of all Bills other than the Bengal Destitutes Persons Repatriation Bill, for which notice of amendment will be received up to 1st March. Honourable members will please take a note of it.

Mr. AMULYADHONE ROY: Sir, can't you make it 29th February?

Mr. DEPUTY PRESIDENT: There is no 29th February.

Mr. BANKIM CHANDRA MUKHERJI: Sir, before you adjourn the House may I request you to change the time from 11 a.m. to 4 p.m.

Mr. DEPUTY PRESIDENT: I understand that some of the Bills would be taken up next day. I would therefore request you to send notices as early as possible. However, I shall not be very strict in the matter and if necessary I shall be prepared to accept short-notice amendments on the floor of the House.

The House stands adjourned till 1-30 p.m. on Wednesday next.

Adjournment.

The Council then adjourned till 1-30 p.m. on Wednesday, the 28th February, 1945.

Following members were absent from the meeting held on the 23rd February, 1945:—

Members absent.

The following members were absent from the meeting held on the 23rd February, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. Sultanuddin Ahmed.
(3) Mr. Kader Baksh.
(4) Rai Bahadur K. C. Banerji.
(5) Mr. Humayuh Reza Chowdhury.
(6) Mr. R. W. N. Ferguson.
(7) Mr. Mohamed Hossain.
(8) Mr. Humayun Kabir.
(9) Maulana Mohd. Akrum Khan.
(10) Mr. N. N. Moholanabish.
(11) Mr. N. N. Mookerji.
(12) Dr. K. S. Ray.
(13) Mr. S. N. Sanyal.
(14) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-2620A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 7.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 28th February, 1945, at 1-30 p.m., being the seventh day of the First Session of 1945, pursuant to section 63(*2*)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Point of Information.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. If my memory serves me right, I think last year we had Budget discussion at first for 3 days and then there was another day in order to enable all the members to take part in the general discussion of the Budget. This year we find that only 3 days have been allotted for the discussion. May we hope that another day may be given in view of last year's precedent?

Mr. DEPUTY PRESIDENT: Will the Hon'ble the Leader of the House please enlighten us on the subject?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I am not aware that there were 4 days' discussion of the Budget. As far as I remember, I think originally we had 2 days; then there was an extension of one day, and I think this has been the practice for the last few years. However, Sir, the Secretariat would be in a position to give us the exact figure. If we really had 4 days' discussion, then we will have to move His Excellency for another extra day.

Mr. DEPUTY PRESIDENT: The House will now take up the questions.

QUESTIONS AND ANSWERS

The Hon'ble Mr. K. SHAHABUDDIN: Sir, the Hon'ble Sir Nazimuddin, in whose name the first question stands, is not here today. He will be present tomorrow.

Mr. DEPUTY PRESIDENT: This question may be held over.

Scarcity of milk at Jalpaiguri.

48. Mr. NAGENDRA NATH MAHALANOBISH: (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state if he is aware of the acute distress in the mufassal towns, particularly at Jalpaiguri, due to the scarcity of milk and that whatever milk is available is highly adulterated?

(*b*) If so, do the Government propose to start a dairy farm at Jalpaiguri and other district headquarters at an early date with a view to supplying pure and sufficient milk in those towns?

(*c*) Is it a fact that a dairy expert has been brought from Australia? If so, do the Government propose to utilise his services for the early establishment of dairy farms in the mufassal?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Government are aware that the milk supply position in Jalpaiguri and other district

towns is acute and the supply itself is not pure. In Jalpaiguri, however, thanks to the efforts of the local executive, cases of adulteration are reported to have decreased from 50 per cent. to 15 per cent.

(*b*) Government have already decided to establish a Central Breeding Farm near Kanchrapara. After some progress has been made with it, the question of starting smaller farms in district headquarters will be considered.

(*c*) The services of a Dairy Expert have been secured for one year from New Zealand. He is now engaged in working out the details of the central scheme and is simultaneously carrying out a survey to ascertain the exact milk supply position of the Calcutta area with a view to suggesting remedial measures.

Mr. KADER BAKSH: Will the Hon'ble Minister be pleased to state what is the price of milk in Dinajpur and Jalpaiguri?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think it is better known to the honourable member who has asked the question.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to give us an outline of the details that are being worked out in the Secretariat by this Expert, so that the public may have an opportunity to come forward with their suggestions in this connection?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think in an official communique it was given out, I mean, the main outline of the Kanchrapara Scheme. It is intended that there should be a Breeding Research Farm along with which there should be a Dairy Farm and a Fodder Farm and a grass land and also an attempt will be made so that the dry animals of Calcutta city may be kept there as far as psosible. Experiment in improved breeding will be carried on, and if this proves successful it will be possible to improve the cattle population of the whole of Bengal in one-tenth of the period that is necessary in ordinary natural process. These are the main outlines, and the dairy that will be attached to that will supply milk to Calcutta and also milk products. There will be a specialist also to manufacture milk products such as dry milk, butter, and so on.

Mr. BANKIM CHANDRA MUKHERJI: Will the Hon'ble Minister please state, with reference to his answer (*c*), whether he would consider the desirability of subsidising private companies which take the help of the Dairy Expert and start a Company on the lines suggested by the Hon'ble Minister himself?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Every help will be given to private individuals starting dairies; but regarding financial help, it will have to be examined and we cannot go beyond our financial ability.

Khan Bahadur ABDUL GOFRAN: Will the Hon'ble Minister be pleased to state when this farm at Kanchrapara is likely to be started?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Just a proposal for acquiring land has been made and the first estimate of the proposal has come; but as we are going to acquire the land under the Defence of India Rules, it will not take much time. Some difficulties also have arisen as regards the price of the land. The original estimate which was submitted was Rs.50 per bigha; but now it is found that Rs.150 is the cost of the land per bigha, so the cost that has been sanctioned by the Finance Department will have to be trebled, and we will have to the Finance Department again and see what the reaction of the Finance Department will be. It may be that we will have to put up a more modest scheme than the one we have originally contemplated.

Mr. RANOJIT PAL CHOWDHURY: Will the Hon'ble Minister please state whether the Expert will examine both the cows and the buffaloes?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, he will examine both, but mostly the cows.

Mr. HARIDAS MAZUMDAR: With reference to (*c*), namely, that the services of a dairy expert have been secured for one year, will the Hon'ble Minister please state if this period is going to be extended or will the scheme be a paper scheme only, before he leaves the shores of India?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think if the scheme materialises we shall have to keep him and ask for his retention here. And it may very well be that we shall have to extend his period of retention by one year more.

Amendment of the Bengal Mining Settlements Act, 1912.

49. Rai Sahib JOGENDRA NATH RAY: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state when he proposes to take up the amendment of the Bengal Mining Settlements Act, 1912?

(*b*) Is it a fact that this amendment is pending since 1927? If so, why has it not yet been amended in spite of repeated questions in the Council since 1941?

(*c*) Have the Government received any suggestion on this amendment from any Medical Association and the Indian Mining Federation? If so, what action do the Government propose to take in the matter?

(*d*) Have the Government received any suggestion to convert the Asansol Mines Board of Health into an Industrial Health Board and to impose taxes on other industries in the Asansol Mining Settlement? If so, from whom and what steps do the Government propose to take in this matter?

MINISTER in charge of the PUBLIC HEALTH and LOCAL-SELF-GOVERNMENT DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) Owing to urgent need of amending certain other bills of provincial importance, I regret, I cannot name any definite date.

(*b*) A Bill, namely, the Bengal Mining Settlements Bill, 1927, to amend and consolidate the law relating to the control and sanitation of Mining Settlements in Bengal was introduced in the Legislative Council in 1927 but could not be proceeded with for the following reasons:—

(1) Indian Mining Federation proposed postponement of consideration of the Bill pending report of a Committee appointed by the Bihar Government to examine certain questions relating to the coal industry.

(2) It was considered desirable to keep the Bill in abeyance pending the report of the Royal Commission on Labour.

(3) The Bill lapsed with the dissolution of the Council in 1929. Since 1941 more urgent problems connected with the war have made it impossible to proceed with the matter further.

(*c*) Yes. The suggestions will be duly considered when further amendment of the Act will be taken up.

(*d*) Yes. Such suggestions have been received from the Indian Mining Federation, Indian Mining Association, Indian Mine Managers' Association and others. The suggestions will be duly considered when further amendment of the Act will be taken up.

Adjournment Motion.

Mr. DEPUTY PRESIDENT: I will now take up the adjournment motion standing in the name of Mr. Haridas Mazumdar, which runs as follows:—

That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the action of the Government of Bengal, namely, the lending of 5,000 mds. of mustard oil to the Government of Assam at a time when Bengal herself is passing through an acute scarcity of mustard oil, causing black market for adulterated and rotten stuff selling as mustard oil at an exorbitant price and undermining the health of poor Bengalees whose only "fat" diet is mustard oil.

May I enquire if the honourable member has the leave of the House to move his motion?

Mr. MESBAHUDDIN AHMAD: No.

Mr. DEPUTY PRESIDENT: As objection has been raised, I would request those members who are in favour of the motion to rise in their places.

Mr. HARIDAS MAZUMDAR: Before this is done, I would like to say a few words in explanation of my motion. In the Hindusthan Standard of the 27th February, 1945——

Mr. DEPUTY PRESIDENT: Order, order. Do you press your motion, Mr. Mazumdar?

Mr. HARIDAS MAZUMDAR: I am not exactly pressing my motion, but I am explaining why I have brought it forward.

Mr. DEPUTY PRESIDENT: At this stage you cannot make a speech

Mr. HARIDAS MAZUMDAR: I am not making a speech, but I merely want to say that if Government come forward with a statement explaining the situation——

Mr. DEPUTY PRESIDENT: I have come to the stage when I would like to know whether you have got the leave of the House, and so I cannot allow you to make any statement.

Mr. HARIDAS MAZUMDAR: Sir, I should like to withdraw the motion provided Government come up with a statement. It is in the best interest of the Government of Bengal that they should make a statement without taking shelter under the technicalities of our rules. It is a very important matter——

Mr. MESBAHUDDIN AHMED: On a point of order, Sir——

Mr. HARIDAS MAZUMDAR: If Government come up with a statement, I shall be glad to co-operate——

The Hon'ble Mr. K. SHAHABUDDIN: May I point out, Sir, that there is no question of taking shelter under technical difficulties from the Government side. The point is that the honourable member has not got the requisite support from the House to move his motion——

Mr. HARIDAS MAZUMDAR: Sir, I am agreeable to table a short-notice question provided the Hon'ble Minister in charge gives his consent. I would request you to ask the Government to consider the matter. This is a very urgent matter. They are shuting out discussion on these things for temporary advantage. But it is already in the papers that 5,000 maunds of mustard oil went out of the province when the province itself——

Mr. DEPUTY PRESIDENT: Order, order. If you wanted to put a short-notice question, why did you not say that before? But now that you

have tabled your adjournment motion. I want to know if you have got leave of the House to move it.

Mr. HARIDAS MAZUMDAR: In that case, Sir, I do not press the motion provided——

Mr. DEPUTY PRESIDENT: There is no question of "provided".

Mr. HARIDAS MAZUMDAR: So, Sir, they are not going to make a statement. You are the custodian of the rights and privileges of this House and I think you can ask them whether they are going to make a statement..

Mr. DEPUTY PRESIDENT: But when you took up the motion, you ought to have said that. At this stage you cannot raise that question.

Mr. HARIDAS MAZUMDAR: I am not pressing the motion. But I submit that consent may be given to this short-notice question.

Mr. DEPUTY PRESIDENT: Then I take it that the honourable member has not the leave of the House to move this motion.

Statement of action taken on Resolution.

The Hon'ble Mr. K. SHAHABUDDIN: Sir, in accordance with the provision of sub-rule (2) of Rule 95 of the Bengal Legislative Council Procedure Rules, I have the honour to place for the information of the Council the following statement regarding action taken by the Government on the resolution relating to development of textile industry in Bengal as a home industry that was passed by the Council on the 9th July, 1943:—

The resolution envisaged provision of Rs.50 lakhs for (1) establishing demonstration centres in every union, (2) supplying spinning wheels and weaving machines on hire purchase system and (3) supplying cotton at concession rates. The objective behind the resolution is no doubt commendable and in fact, the Industries Department since its creation in 1920, has taken effective steps in popularising the handloom weaving industry amongst the weavers as a whole-time occupation as also amongst the agriculturists as a part-time occupation and for this purpose the department maintains, besides the Central Textile Institute at Serampore, 9 district weaving schools, 29 peripatetic weaving schools and 8 demonstration parties—and their number is added according to requirements, which are exclusively engaged in propagating the improved methods of weaving and in supplying weaving machines to those who require them. Besides, grants-in-aid are given to non-Government institutions which are working to this end. The Bengal State-Aid to Industries Act, 1931, also provides facilities for *inter alia*, the supply of machinery on the hire-purchase system and it is open to a *bona fide* industrialist to take due advantage thereof. As regards spinning, the Director of Industries, Bengal, submitted, so far back as the year 1940, a scheme for the establishment of a spinning mill in Bengal with the object of supplying yarn to the handloom weavers of the province. Apart from other ancillary difficulties due, *inter alia*, to the non-availability of plants and accessories required for the mill during the present emergency, it was found that if the province was to be self-supporting in the matter of supply of yarn of different counts as required by the handloom weavers, it would be necessary to establish more mills than one and as such the scheme was not proceeded with further, on the expert advice of the Industrial Survey Committee, who were consulted in the matter. With a view, however, to resuscitating the handloom industry of the province a comprehensive scheme for its reorganisation is now under the active consideration of Government. The scheme, although restricted at the present moment to professional weavers only in a number of districts, *inter alia*, envisages the establishment of a number of depots whose main functions will be to distribute yarn and other raw materials to weavers and

to market their finished products and if it eventually materialises, it will go a great way towards the improvement of the economic conditions of the agriculturists, which is the main objective in view.

I may just add one word more and that is that the department is already taking all possible steps for the establishment of spinning mills.

Committee of Privileges.

Mr. DEPUTY PRESIDENT: Order, order. Seven valid nomination papers have been received for the seven seats in the Committee of Privileges I accordingly, declare under Standing Order 19(2)(*ix*), the following members as duly elected to the Committee of Privileges for the current financial year with the Deputy President as Chairman:—

(1) Mr. W. B. G. Laidlaw,
(2) Rai Bahadur Brojendra Mohan Maitra,
(3) Mr. Shrish Chandra Chakraverti,
(4) Mr. Hamidul Huq Chowdhury,
(5) Mr. Nur Ahmed,
(6) Khan Bahadur M. Shamsuzzoha,
(7) Mrs. K. D' Rozario.

Now, as regards the point raised by Mr. Lalit Chandra Das for discussing the Budget on the fourth day, I may inform the House generally and the Hon'ble the Leader of the House particularly that on the last occasion we had four days' discussion of the Budget.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In that case we will have to approach His Excellency for another day but not tomorrow. (Mr. LALIT CHANDRA DAS: Why not send a telephone to His Excellency.) That is not possible. We have other things fixed for tomorrow. We may allot Monday next for this purpose.

Mr. DEPUTY PRESIDENT: If the Government is agreeable to the extension proposed by Mr. Das, then they ought to decide here and now. The Budget discussion should be continuing and cannot be interrupted by taking any other business in the midst of it.

Mr. BANKIM CHANDRA MUKHERJEE: The Hon'ble the Leader of the House might take the consent of His Excellency before we adjourn for the day. He need not say it now.

General Discussion of Budget.

Mr. DEPUTY PRESIDENT: Now, the House will resume the general discussion of the budget.

Mr. BANKIM CHANDRA MUKHERJI: Mr. Deputy President, Sir. I was dealing with the question of cloth the other day, and I will continue by reading a statement by Mr. Vellodi, the Textile Commissioner on this point which was made some time in October in 1944. "My own enquiry shows that there are sufficient stocks of cloth in the Calcutta market to provide a reasonable if not wholly adequate quantity of cloth to all in the province." I request the honourable members to note the words "all in the province" which means the entire population in the province. "I am also convinced that this available quantity is not reaching the consumers at controlled rates mainly due to the activities of certain unsocial elements in the trade." Now, Sir, this statement was issued some time in October, and the Hon'ble the Civil Supplies Minister had a Press Conference on the 7th October, 1944, and he made a statement soon after Mr. Vellodi's statement appeared in the papers, and we were assured that we were going to get an equitable supply of cloth throughout the province, and that every one was going to get at least one piece of cloth before the Pujas. That was the position, Sir. The Textile Department was working. I will give

only one instance. On the 22nd November, 1944, a letter goes out from the Civil Supplies Minister to the Textile Officer, Mr. Jones, to the effect that one member of the Lower House should be supplied with 50 bales of cloth, each bale containing about 100 to 150 pairs, and in this way about 7,000 pairs of cloth which would have been supplied to 14,000 people were given to one man. I am not going to name the honourable member. If necessary, I will disclose the name later on. Now, Sir, that is how the Textile Department is being worked, and that is how one piece or two pieces of cloth which were assigned by the Textile Commissioner for each individual in this province are being sent underground. I may mention, Sir, that black market price is three times the controlled price, and the profit per pair would be in the region of Rs.10 to Rs.14 per pair, and the honourable members may ascertain if the cloth that is obtained by the Civil Supplies Department from the Central Government is being equitably distributed. Sir, it is not necessary to say more.

With regard to the question of wheat, I would request the Hon'ble Members to consider the statement of the Hon'ble Minister of Supply on the floor of the House where he admitted that the Government was making a profit in the distribution of wheat to the consumers. His only plea was that when rice was selling at Rs.30 per maund there was no point in selling wheat at a much reduced rate and he assured that the profit which was being made by Government in the sale of wheat would go to stabilize the price of the foodstuffs in the country. When we got, however, the budget of 1944-45 we found that there was no profit in the wheat deal by the Government of Bengal. The capital expenditure financed from ordinary account in the grain purchase by Government of Bengal was 5 crores 60 lakhs of rupees as estimated in the budget of 1944-45. I refer to page 452 of the Blue Book that has been supplied to us—I do not know, Sir, if I should go on when the Finance Minister is having a chat with the Honourable Agriculture Minister and not listening to the figures that I am quoting. In the budget estimate of the present year we find the capital expenditure comes to about 14 crores which is an increase of about 10 crores. The purchase and distribution of standard cloth as estimated for 1944-45 amounted to 13 crores and 87 lakhs and the revised estimate for 1944-45 comes down to 4 crores and 59 lakhs That shows that Government did not press on the Central Government to send out its full quota, and the budget estimate for 1945-46 is 4 crores and 45 lakhs. The Bengal Government received standard cloth in 1944-45 of the value of 5 crores and 72 lakhs. Receipts and recoveries of capital accounts which are stated to amount to 4 crores and 50 lakhs mean a loss of nearly one crore, 31 lakhs and 70 thousand. I hope the Honourable Minister will try to explain how there could be any loss in the cloth deal by the Government of Bengal, for it is not a thing which gets rotten in course of time. It may be rats were made to work on food grains and they destroyed a great part of them but we do not know what human rats made away with cloth worth 1 crore and 30 lakhs. In the present budget the cost price is estimated as Rs.4 crores 45 lakhs and the recovery is also the same. So far as the past year is concerned, no loss was shown in receipts. As a matter of fact when we come to the next year we will find that rats are again working and there was a loss.

In other miscellaneous schemes again we find that in the revised estimates of 1944-45 the Government discloses a loss of one crore and 8 lakhs. So far as construction of boats is concerned we find in the revised estimate of 1944-45 a provision of 2 crores 37 lakhs and 45 thousand and in the budget estimates of 1945-46, 5 crores 48 lakhs 81 thousand, that is, namely, about 8 crores in two years. In this connection I would like to state to the Honourable Members that the scheme of construction of boats by the Bengal Government is as follows:—

For each boat capable of carrying 1,000 maunds the Government price is fixed at Rs.6,850. This works out at Rs.6-13-6pies per maund of carrying capacity but the boats that have been supplied do not carry even 600

maunds and are of very inferior quality. I may state that a very reputed firm—I refrain from disclosing its name—offered a tender for supplying boats at the rate of Rs.6-12 per maunds of carrying capacity so that the prices would be actually in accordance with the carrying capacity of the boats. The tender was not accepted. As a matter of fact, these boats could be constructed at a much cheaper rate than Rs.6-12 per maund of carrying capacity, and I have been informed to this effect. I do not know why the people of Bengal should be burdened with this heavy sum of 5 crores 48 lakhs and 81 thousand when there is a deficit of 14 crores by giving encouragement to a scheme in this way and not by giving loans to people who are actually in the boat trade. This heavy sum of 5 crores 48 lakhs 81 thousand rupees as provided in the current year's budget whereas those boats could be procured by giving loans to people who are really in the boat trade. I would warn honourable members that this huge sum of 5 crores and 48 lakhs worth of boats will be found to be worse than useless after a period of time. In the scheme for purchasing food grains other than wheat a provision has been made for the capital expenditure of 4 crores and 50 lakhs. The revised estimate of 1944-45 discloses in the grain purchasing scheme capital expenditure financed from ordinary revenues 9 crores 19 lakhs of rupees, this is for the purchase of food grains other than wheat. In the purchase of wheat and wheat products, we find a loss of about 4 crores 45 lakhs and a provision of capital expenditure financed from ordinary revenues to the tune of 4 lakhs and 20 lakhs at page 466 of the of the Blue Book. In the scheme for supply of salt in the revised estimate of 1944-45 we find a loss of 62 lakhs of rupees. In the supply of sugar again we find a loss of 46 lakhs of rupees. I do not understand why there should be any loss in the sugar deal because sugar is a commodity which ought to have been sold without any loss. The Hon'ble Finance Minister states "the organisation of famine relief and the control of epidemics presented problems of exceptional difficulty and taxed to the utmost to the resources of the Government. The task of setting up an efficient civilian organisation afforded a difficult problem for the Government, when you have got to rule with the help of favourites, profiteers and black-marketeers". The Hon'ble Finance Minister admits that the work of repairing the terrible damage caused by the famine was steadfastly pursued and the victims of destitution and sickness are no longer adrift but have been provided with food and shelter and medical relief. If the Hon'ble Finance Minister will admit that this is only a paper declaration and nothing also, I would have no quarrel with him but I would request the Hon'ble Finance Minister to make a tour through the villages leaving out the district towns and subdivisional towns and he will find that the problem has not been solved at all.

So far as food production scheme of the Government is concerned in the Department of Agriculture and Fisheries the same thing is noticeable. The Hon'ble Minister in charge of the Department of Agriculture has admitted that he could not supply proper seeds and seeds that were really supplied were not of good quality. The Hon'ble Minister states "it had been increasingly borne on me during the last two years that personnel even more than finance is our real bottle-neck and steps were being taken to increase the higher and lower agriculture services by some 300 additional officers from demonstrators upward".

Sir, there are 5,000 unions within the province and we have got to deal with about 5 lakhs of villages. If the villagers are allowed to carry on cultivation according to their own scheme and if they obtain a supply of suitable seeds for growing not as a loan the price to be recovered afterwards they do not require the help of demonstrators or officers with highly paid staff for growing food. What is wanted are suitable seeds and enough manure and hydro-electric schemes or irrigation projects for irrigation purposes. I can assure the Hon'ble Finance Minister and the members of this House that the provisions of 2 crores and 10 lakhs of rupees in the agricultural and fisheries for the years 1945-46 and 2 crores 25 lakhs

for 1944-45 a total amount of 4 crores 35 lakhs rupees could be well spent in providing facilities for the supply of seeds and in starting factories immediately for the supply of manures.

The Hon'ble Finance Minister in completing the picture and in disclosing debt position states as follows:—

"All our borrowings up till now have been either for the purpose of covering revenue deficit and providing the requisite working balance at the close of the year or for financing the large scale trading operations undertaken by Government in the Department of Civil Supplies. Bengal has not been able so far to float any loans for productive purposes that is to say for the financing of scheme and development such as large-scale irrigation projects or hydro-electric schemes which create additional wealth for the State. Our debts so far have been unproductive debts with the possible exception of 2 crores or so spent on the furtherance of the Grow More Food Campaign. A part of the debt is covered by stocks held by the Department of Civil Supplies but the rest is not covered by any tangible assets." Sir, with regard to the assertion of the Hon'ble the Finance Minister that the 2 crores of rupees has been on the furtherance of the Grow More Food Campaign is productive debts. I may state some facts which would astonish the honourable members of this House. Sir, the Government of Bengal supplied seed paddy to the famine-stricken people and the cyclone affected people of Midnapore in the year 1943. I am informed that majority of the seeds did not germinate and what little germinated the crops were washed away by the flood. The method of realisation of this debt is still more peculiar. For every maund of paddy the Government of Bengal is charging a surcharge of 25 per cent. and is realising one maund and ten seers of paddy. The rate at which is calculated at Rs.10 per maund and to this again interest is added for the last 2 years thus realising in the first instance the 25 per cent. lump sum and then again interest this is compound interest at an usurious rate and I hope the Hon'ble Minister in charge of the Revenue Department will consider whether this is fair to the people of Midnapore. The price of paddy at the present year at Midnapore is in the neighbourhood of Rs.6 per maund and therefore for each maund of paddy supplied by the Government of Bengal, they would have to sell about 3 maunds of paddy to pay the debt. I hope the Hon'ble Minister will consider this and will realise only one maund 10 seers of paddy in kind and relieve the cultivators from the burden of this debt from which they derived no advantage. Having done with this, Sir, the position so far as the Grow More Food Campaign of the Government is concerned, with regard to the inability of the Hon'ble Finance Minister to finance schemes of development I may state at once that if we go on at this rate of the present Finance Minister by borrowing money and employing for purposes which do not create additional wealth we would soon find an advertisement in Stock Exchange that the revenues of the present Government of Bengal are for sale for realisation of debts incurred under the regime of the present Finance Minister.

I would now take up, Sir, the question of the project for irrigation scheme for which there is a provision for 46 lakhs spread over the 2 years 1944-45 and 1945-46. It is stated that 2 new circles with porper staff and equipment have been set up during the year to enable the department to cope with the increase of work thus providing a scope for a large number of job-hunters and contract seekers to approach the Hon'ble Minister in charge of the Irrigation Department. This has been added the Damodar Flood Control Project which is being financed by the Government of India to the tune of 2 crores and 25 lakhs of rupees the share of the Bengal Government being only 75 lakhs of rupees the total expenditure being 3 crores. Here again the same story is being repeated. I submit, Sir, that the irrigation schemes and the Damodar Flood Control Project and the remodelling of other important embankments in the districts of

Midnapore and Tippera which are proposed to be carried out under an agreement with the Government of India similar to the Damodar Flood Control Project where huge sums are being spent, it is necessary that the Government of India and the Government of Bengal should have a sub-committee set up for the purpose where members of all parties would be able to take part and the amount spent usefully and not given away to favourite for the purpose of supporting the Ministry.

Coming to the question of dearness allowance, I submit, Sir, that the provision made for the dearness allowance is not adequate regard being had to the increased cost of living. The Hon'ble Finance Minister has been very liberal with the Members of the Bengal Legislature where he had granted an increment of 33 per cent. in the salary and 50 per cent. in the daily allowance. There is also an increase of 50 per cent. in the salary of the Parliamentary Secretaries and I congratulate the Parliamentary Secretaries in getting this increment. They have got a very hard work to perform, namely, to keep watch over the supporters of the Government and sometimes I know, the Parliamentary Secretaries have no time to take their food either during day time or during night and often they have to keep watch throughout the night for the purpose of keeping the supporters with them. Although the Hon'ble the Finance Minister have been very liberal to the Members of the Bengal Legislature, I am afraid, he has not been considerate to the staff attached to the Bengal Legislature and also to the primary and secondary non-Government schools where the provision made for the payment of dearness allowance is very meagre and I would request the Hon'ble Finance Minister to consider if he could enhance this dearness allowance. I understand that a scheme is pending for the consideration of the Hon'ble Minister regarding the salary of the staff attached to the Secretariat, and I hope the Hon'ble the Chief Minister will find time to pass orders on the scheme so that it might be given effect to from the beginning of the next financial year.

Regarding the capital transactions of the Government of Bengal as stated in page 10 of the statement of the Hon'ble Finance Minister I would like to give a word of warning. I have already indicated the figures from the Blue Book regarding the purchase of food grains other than wheat and purchase of wheat and wheat products, purchase of standard cloth, purchase of salt and sugar and construction of boats. The total capital outlay involved in the first 4 of this scheme is on the border of 90 crores out of which a sum of 47 crores is derived from sale proceeds. The figures for loss adjustible in the current year is 13½ crores and the book value of stocks likely to remain in hand at the close of the year is estimated at 60 crores. These figures are all very well but having regard to the past experience and the inefficiency of the Government staff in handling those products, I am afraid, we will be met with a far greater loss than is indicated in the statement of the Hon'ble Finance Minister and in the budget provision and ultimately in the next year we would find that the loss is much more and the deficit would be a huge sum which the revenues of Bengal will not be able to meet and the province will be turned into a bankrupt province. I do not think the Government of Bengal would be able to get any subvention this year from the Government of India as it obtained during the last year. The Hon'ble the Finance Minister in disclosing the revenue position at page 11 of the statement states that the revenue receipts of 36 crores this year should have enabled him to wipe out the estimated deficit and to close the year with a comfortable surplus. I think, Sir, the Hon'ble Finance Minister should have taken courage and acted up to this and should not have provided for the expenses to the formidable figure of 47 crores, i.e., 17 crores in excess of the original estimate. The entire 17 crores excess in expenditure might have been avoided if—instead of providing for a huge establishment for the Civil Supplies Department, huge sum for the purchase of food grains and other products—he had asked the Hon'ble the Minister of Civil Supplies to take

the normal trade into confidence and to devise ways and means for the purpose of equitable distribution of the products purchased from the Government of India and also purchased by the Government of Bengal directly. If we turn to one product only particularly the standard cloth and the yarn which the Government of Bengal received from the Government of India, at one stage, Sir, when an adjournment motion was moved on this subject on the floor of this House, it was stated by the Hon'ble the Minister of Civil Supplies that it had nothing to do with the cloth deal because the Central Government was concerned with it.

I would now take up the question of the Niemeyar Award. We are glad to learn that a complete case in this respect had been presented to the Government of India by His Excellency the Governor and the Hon'ble the Finance Minister. We would, however, like to state so far as this matter stands that the Central Government has not been fair to the Government of Bengal. Bengal has got a monopoly in jute cultivation and up till now jute has maintained its position and the Government of India is compelling the Government of Bengal not to reduce the jute cultivating area and release more lands for cultivating food crops. The position with regard to jute may be briefly summarised as follows:—

The jute mills and jute merchants require something about 60 million yards of jute. In order to produce this quantity of jute about 4 million acres of good paddy lands have to be utilised. These 4 million acres of good paddy lands could produce 60 million maunds of rice at the rate of 15 maunds per acre, which is the average rate of produce for good paddy lands where jute is grown and the 60 million maunds of rice would surely have reduced the deficit and its price is 900 million rupees at the controlled rate of Rs.15 per maund. As against this the cultivators get about 450 million rupees at the rate of Rs.9 per maund there being no minimum price fixed. The jute merchants and the jute millowners combined and they reduced the price as much as possible and the poor cultivators who had grown jute under the expectation of getting a high price are forced to sell the jute in order to purchase food grains and this affords an additional facility to the jute merchants to dictate their terms of price to the jute growers. It is a pity that with the monopoly of jute Bengal cultivators are famished and in this respect I may mention it is only the Muslim cultivators who are suffering most. It is well known that in Western Bengal where the Muslims are in a minority the growing of jute is very limited and it is only in Eastern Bengal that jute is grown extensively and it is mainly the Muslim cultivators who are in the jute trade. Although the present Ministry outwardly show sympathy for the Muslim population of Bengal in substance they are doing nothing for the Muslim masses. They are providing facilities for the few Muslims and non-Muslims who are supporting them. It is a misfortune of the Muslims and non-Muslims mass of Bengal. The Central Government is deriving huge income from the jute which is a product of Bengal and it is necessary, as Bengal is in close proximity to the war zone, that the revenue from jute export which yields annually 4 crores of rupees (now reduced a little owing to reduction of export due to War) should be paid to Bengal in order that Bengal might be saved from being burdened with a huge debt as disclosed in the budget of the Finance Minister. I therefore plead that the revenue from the jute export should be paid to Bengal in its entirety. I may mention here that the various irrigation projects in the Punjab have turned the Punjab into a surplus province with respect to most articles of food and if the revenue income from jute export is utilised in financing irrigation projects and factories for manufacturing artificial manures like ammonium sulphate and in granting loans to the agriculturists for producing good seeds, I can assure the Honourable Finance Minister and honourable members that Bengal would be once more the land of plenty that it was in the past.

The policy of the Government of Bengal in monopolising the rice market, the wheat market and the cloth market has led to losses amounting to crores

of rupees but if the Government of Bengal take up the monopoly of the jute trade in its hand not in the same way as it is doing in regard to other commodities, then I can assure, jute being a monopoly trade in Bengal, the Government can make enormous profits and wipe out the huge deficit that is discernible in the budget. The only thing they will have to do is to give a remunerative price to the cultivators and declare its own price for exporting jute and for supplying jute to the various millowners in Bengal. I have been informed, that jute being a monopoly trade merchants and millowners will have to accept any price that Government may dictate. There is however insurmountable difficulty here, for European millowners will be hard hit if this policy is pursued by the Government, for it is the Europeans who have kept the present Ministry in power and they cannot afford to lose their support.

Turning now to the question of livestock the Honourable Minister has provided a huge sum for granting loans to the agriculturists for the purchase of cattle.

Mr. DEPUTY PRESIDENT: Mr. Mukherjee, how long will you take to finish?

Mr. BANKIM CHANDRA MUKHERJEE: About 5 or 10 minutes, Sir.

Mr. DEPUTY PRESIDENT: You have already spoken at great length: and you spoke fairly long yesterday also.

Mr. BANKIM CHANDRA MUKHERJEE: Last day I did not encroach on anybody's time. As the House was going to be adjourned for want of speakers, I utilised the time.

With regard to the cattle position, after the allied armies came to India on account of the war a large number of cattle were being slaughtered, and to prevent this slaughter some of the provinces like Madras issued ordinances prohibiting the slaughter of cattle. This Government were also asked to enact a similar ordinance to prohibit the slaughter of cattle but they did not listen to the representations. I had a personal talk with the Minister of Agriculture on the subject who said that he was considering and watching the effect of the meatless days which had been introduced. I told him that that would not solve the problem. He did not issue any ordinance at the time but three or four months after seeing that the cattle position was precarious and that simply meatless days were not sufficient to meet the situation the Honourable Minister enacted an ordinance similar to the one that I had suggested to him three or four months ago, not however before a large number of cattle had been already lost.

So far as education is concerned I submit that here too we have a dismal picture as in the past and I do not think it will be any use to touch on the subject at great length. I think Government should start schools of the nature of Middle English and Vernacular schools in every union if not in every village. The percentage of educated people is very low in Bengal. If people are not educated they will not be able to cast their votes properly; the electorate is large nowadays and they should be given proper education so that they can use their franchise in an intelligent manner. I have seen villager coming to vote at an election to the polling centre, he was told that the symbol of candidate was cart, he came in and after receiving the ballot paper he cried out where is the cart in wheih I am to place the ballot paper. He could not understand the picture of a cart painted on the ballot box. I hope if the franchise that has been granted is to be made use of, we should educate our electors so that they might know how to exercise their vote and for what purpose and how to exercise the independent judgment in casting their vote in favour of their candidate.

Coming to the question of distribution of yarn, I would only refer here again to the failure of the Government. In this respect large number of weavers and large number of fishermen are unable to earn their living for

want of yarn and the result is that we have got scarcity of fish and scarcity of cloth noticeable throughout the province. In this respect again I would request the Bengal Government to subsidise companies to start production of yarn and cloth in large quantities within the province itself and not to depend upon and take from a sister province these articles, for the purpose of supplying to the people of Bengal. If the Hon'ble Minister had provided for a deficit of 50 crores of rupees and wanted to raise 50 crores for the purpose of subsidising companies and factories which would have produced additional wealth for the State we would have at once supported it. It is very difficult to support the budget which discloses a dismal picture leading to financial bankruptcy of the province in a very short time.

Let me now take up the question of the education grant in detail. The education grant is divided into two departments. Education general, education of Anglo-Indian and European. So far as education general is concerned the total sum provided comes to 2 crores 56 lakhs 63 thousand rupees. This works out roughly at the rate of annas 5 per head per year for a population of 60 millions. I would request the Hon'ble Finance Minister to consider why he as very liberal with reference to other departments he has not given any thought to the education problem of the province. The actual for 1944-45 was 1 crore 72 lakhs 41 thousand and 453 rupees and the budget estimate for 1945-46, 2 crores 57 lakhs 63 thousand in the voted figures the charged figure remaining practically the same. In this connection I may mention that the Hon'ble the Finance Minister ought to have made a provision for the establishment of primary schools for girls and boys in every village and middle English vernacular schools for every union or group of two or three villages. We would not have grudged even a loan for this purpose. The grant of annas five per month for each head of population is insignificant and the Finance Minister ought to have been ashamed of making such a paltry provision in his budget whilst spending lavishly in other department. In the scientific department there is a paltry 3,01,000 rupees provided. I think the Government of Bengal should immediately start research laboratories and if they cannot start research laboratories immediately they should subsidise and make liberal grants to the University college of science. I may remind the Hon'ble Finance Minister and the honourable members of this House that the present war is being conducted by the European powers with the help of the research laboratories and every gentleman having any curiosity in the matter may look up to the literature on the subject in Britain, America, Germany, Japan and Russia and they will find what liberal provisions have been made for conducting research work in scientific laboratories for solving the problem of feeding the people, the problem of inventing new methods for nourishment of the people, the problem of inventing various war weapons. It is here that the Government should be liberal and even if debt have to be incurred for the purpose, we would not grudge it, because it would be a productive debt. So far as the charges on account of Anglo-Indian and European is concerned I hope the Government will consider the position of the Anglo-Indian community particularly. The European community generally do not educate their children in India. Anglo-Indians who have made India their home should have a separate provision for education in proportion to the number of Anglo-Indians in Bengal. There is a clamour that the Anglo-Indian community are being neglected and the Europeans are taking away the bulk of the grant provided for Anglo-Indian and European taken together. I have been told in course of a general discussion that members of the Anglo-Indian community in the district of Midnapore particularly Kharagpur that the position of the Anglo-Indian community has been made precarious. The Anglo-Indians for the same class of work are given salary which generally comes up to one-third of the salary provided for Europeans for similar work. This is a general grievance of the Anglo-Indian community in the railway which is not within the province of the Bengal budget, but so far as the education of the

Anglo-Indian community is concerned I think the Government will be more liberal and they should not lump up the grant for that community with the European. At any rate the total grant should be apportioned in proportion to the number of students of each community studying in India.

I have now touched the main items of the budget but generally I would like to say that the policy of the Government in monopolising of trade and in practically destroying the normal trade channel of the country will have a disastrous effect on the economic problem of the people generally, and this is a serious consideration which I would request the Hon'ble Finance Minister and the honourable members of this House to consider.

I think, Sir, I have now said enough to show that the budget that has been presented by the Hon'ble Finance Minister ought not to be supported and the only effect of supporting this budget would be a financial drain of the province of Bengal. Our position is peculiar. We have no power to give a cut motion. So, I would only request the Hon'ble Finance Minister to consider the points raised by me when the budget is discussed in the Lower House and when he gives his reply.

Mr. R. S. PURSSELL: Sir, for the second year in succession the Hon'ble Finance Minister has had the uncongenial task of presenting a budget showing such a large revenue deficit that it cannot possibly be balanced from provincial resources. In doing so he has shown, Sir, the contribution which the province has made towards these mounting deficits and I think that any reasonable person will agree that on the whole the province has done its best to help itself. It cannot be gainsaid that the major portion of the deficit is due to the burden of war and famine expenditure, the cost of which mounted to no less than 14 crores in 1943-44, 29 crores in 1944-45 and is estimated to be 18 crores in 1945-46. Such expenditure is so large that the province cannot and should not be expected to meet it. I venture to suggest that war and famine expenditure should not be a provincial charge, nor should it be borne mainly by one province. It is manifestly inequitable that because of its situation one province should face the future with a load of debt contracted on account of unavoidable and uncontrollable war and famine expenditure, whereas other provinces, more fortunately situated, face the future with surplus budgets and have an opportunity of accumulating reserves for post-war development. We join the Hon'ble Finance Minister in thanking the Government of India for the assistance we have received, but we consider that Bengal should be placed in an equal position with other provinces and that the burden of war and famine expenditure should be evened out as between provinces. In my view this is a most modest claim since the needs of Bengal are greater than those of other parts of India. Since 1920, we have suffered from the policy of retrenchment following on the Meston and Niemeyer Awards and, compared with other provinces, there is a great deal of lee-way to make up. I hope, Sir, that it will be possible before long to reach a final and complete settlement covering all our needs so that at least we may attain an equal position with other provinces, and I trust that Government will make every effort to secure that settlement.

For the coming year revenue expenditure has been estimated at some 10 crores less than the revised expenditure for the current year. I earnestly hope, Sir, that this will not prove to be an under-estimate. In his last budget statement the Hon'ble the Finance Minister warned us that such an under-estimate might occur. He has not done so on this occasion, but I confess to suspecting that there may again be some under-estimation. For example, the trading operations in foodgrains and other commodities are estimated to result in a loss of 5¼ crores during the coming year. The Hon'ble Finance Minister has given us very little information with regard to these trading operations which I consider to be unfortunate. He has, however, stated that measures will be necessary to hasten a reduction in Government stocks of foodgrains, and he has indicated that these measures will consist

of sales within the province at reduced prices. It is reasonable to assume that Government hold very large stocks of rice and that a substantial quantity will have to be disposed of during the next few months. The Hon'ble the Finance Minister has not, however, explained how the losses arising out of these sales at reduced prices have been estimated, nor whether the estimates contain adequate provision to meet the cost. The transactions involved are so vast and so many factors enter into them that there are all too many grounds for the fear that sufficient provision has not been made and that in the end the loss next year will be much greater than has been estimated. I do hope that he will deal fully with the matter in his reply and that he will let us know that Government have definite plans to ensure an adequate offtake from their large stocks. The impression I have formed is that so far Government have in view piecemeal measures to meet a particular situation only and that they still have to formulate a definite plan to ensure an adequate reduction in their stocks. It must be remembered that these commodities are perishable and subject to deterioration, and unless this important matter is dealt with comprehensively in the near future, it may well result in a very serious loss.

In another branch of Civil Supplies expenditure too, I fear that there is all too much room for under-estimation. I refer, Sir, to the expenditure on the cloth control organisation which for the coming year has only been estimated at 5 lakhs. Now, Sir, as honourable members have indicated in no uncertain terms, the province is at present passing through something in the nature of a cloth famine and it seems to me to be logical that ultimately Government will be forced to take over the entire control of cloth. This will undoubtedly involve a large Government organisation. I think this is clearly indicated by the latest announcements by the Textile Commissioner. In this connection it strikes me as peculiar, Sir, that neither the Government of India nor the Provincial Government have ever indicated why Bengal has received a smaller allotment of cloth than other Provinces. I suspect, Sir, that a reason may possibly be that the Government of India refused to send adequate supplies of cloth to Bengal until Bengal can set up a proper organisation which can prevent those supplies going into the black market. We know, Sir, that nearly a year ago Bombay and Madras, to mention only two provinces, set up large official organisations to control the distribution of cloth and by so doing undoubtedly established a prior claim to supplies. In fact, Sir, it would appear that at every turn our administrative deficiencies prevent us from receiving equal treatment with other provinces. Only a very short time ago the Director-General of Consumers' Goods was appointed in this province but I ask the Hon'ble the Finance Minister to state what staff and organisation he has been given. I regard this as a very serious matter, since I do not think the province will receive its fair share of cloth supplies until an adequate organisation has been set up and I ask the Hon'ble the Finance Minister to assure the House that Government will concentrate upon this problem and will spare no effort to obtain this adequate organisation immediately.

Apart from the foregoing, Sir, in my view the problem of cloth and other consumers' goods is of such magnitude and importance as to justify a separate department and I doubt whether it is right to add it to the already very heavy responsibilities of the Civil Supplies Department. The range of problems which now have to be dealt with by this department is so vast that it seems to me, Sir, that one Minister, however energetic and capable, cannot hope to supervise the 4 divisions into which the Civil Supplies Department has been divided. In our view, Sir, there should be a single Food Department which would be in charge of the supply and distribution of all items of food including those which are at present under the charge of the Department of Agriculture. It is only in this way, Sir, that it will be possible to formulate and carry out a comprehensive food policy covering all items of food which I consider is very badly needed. In making this

suggestion I mean no disrespect to our Hon'ble Minister for Agriculture whose energy and sincerity of purpose no one in this House will deny. It cannot, however, be disputed that the business of the Agriculture Department is food production and not the control of supply and distribution for which it is obviously not equipped. The Hon'ble Minister for Agriculture has had the difficult task of galvanizing the long-neglected Department of Agricultuer into action over a wide field and I feel that he has considerable achievements to his credit. For example, he has been successful in increasing the production of vegetables and has, I believe, laid the foundations for an increased production of fish. In regard to two other important items, however, namely, milk and potatoes, absence of achievement is, I feel, disappointing. Other provinces have forged ahead with schemes for distribution of milk to school children and mothers, with schemes for the improvement in milk and with orders prohibiting the making of ice-cream and sweets with milk. In Bengal, however, such positive results have not yet been forthcoming. I hope, Sir, that the Hon'ble the Finance Minister, or better still the Hon'ble Minister for Agriculture will indicate to us what Government intend to do with regard to this important problem of milk. The position with regard to potatoes is, I fear, even worse. Last year, as honourable members will be aware, there was a serious potato shortage which was only reduced at a late stage by small supplies from Madras. Subsequently, there was a grave shortage of seed potatoes and the efforts of Government to remedy this by importing seed potatoes were, I fear, too belated to be effective. Prospects with regard to potatoes for the coming year are therefore, to say the least of it, bleak and I ask the Hon'ble Minister to state what steps have been taken by Government to prevent a recurrence of last year's shortage. Have arrangements been made whereby other provinces will help us if my fears turn out to be justified?

The Hon'ble the Finance Minister has stressed that even more than finance, lack of trained personnel is our real "bottle neck". Honourable members on the other hand have bitterly criticised the creation of new posts. The position of the Ministry, compelled by circumstances to make substantial increases in the administration, is naturally the object of envy among those who know the value of patronage. This consideration should not, however, blind us to the fact that in creating these posts—apart from those of the Civil Supplies Department—Government are only remedying the administrative deficiencies of the past. From so far back as 1920, successive Governments have been forced to follow a policy of retrenchment and today numbers and calibre in Bengal fall far short of its need and are, I feel, below the standards of other provinces. Government have been fortunate in securing a number of experts from other countries. I emphasize the word "fortunate", because countries even more heavily involved in the war than we are, can ill afford to spare their experts. I have heard an unfortunate story, however, of an expert returning to his country in disgust because his services were not being utilised. I hope that this is exaggerated but I do hope that full advantage is being taken of any one who becomes available and that no stone is left unturned to learn all we can from his knowledge. There are very few persons one cannot learn something from, and I consider it bad business to come in contact with any one and then not to benefit from his experience as far as possible. Such experts can only be with us for a short period and in my view we must use them to ensure the training of Bengalees, particularly in the technical services. The Hon'ble the Finance Minister has alluded to the problem but I would like to have heard a little more from him as to what exactly is being done to expand the training facilities in this province. This question, which is obviously vital to the future development of the province, should, I suggest to him, be in the forefront of Government's programme and policy.

There have been sweeping allegations of bribery and corruption particularly directed against officers of the Civil Supplies Department. Such sweeping allegations, however, seem to me scarcely fair to the many officers

whose honesty, integrity and devotion to their work cannot be disputed. I suggest the desirability of considering the discouraging effect such allegations must have on such officers. I suggest that it is most desirable that accusers should be assured of their grounds; allegations should be specific: and should be backed up by a citation of specific facts. At the same time, I do think that a Ministry, which stand for clean administration, should face up to these questions and tell us what they are doing to eliminate possible corruption in their administration. There is nothing more demoralising to honest administrators than the knowledge that corruption continues to exist unchecked. In food administration, opportunities for bribery and corruption are all too many, and constitute a problem which has troubled all food administrations; but integrity in food administration is of primary importance and Government must be prepared to deal ruthlessly with all proved instances of corruption. Temptations particularly to the low-paid temporary officers are many and the only real remedies are supervision, training, adequate pay and security of service.

In conclusion, Sir, I hope that the Hon'ble the Finance Minister will re-double his efforts to secure a comprehensive settlement which will enable him to present a budget next year of a very different character to the present one—a budget which will enable us to face the future with a confidence equal to that of other provinces.

Mr. LALIT CHANDRA DAS: Sir, our European friends are not aware of what a *Rakshakali* is like. *Rakshakali* is "Save, Mother". It is an image of Darkness, Death and Destruction which a priest in Bengal worships in times of emergency or epidemics. Even so is the image drawn by the Hon'ble Mr. Goswami himself—a Brahmin, in his budget for 1945-46 as revealed in the grim procession of figures. In the case of the former, the priest implores the goddess to cease her wrath and to make Bengal woe-begone. In the latter case our High Priest of Finance dons the weed of woe and implores the Centre to come to the rescue of Bengal and put her firmly on her feet. In this, Sir, the Hon'ble Finance Minister has our sympathy.

Sir, from the norm of 13 crores a year, Bengal since 1937 has raised up its revenues till it has now reached the grand total of 36 crores in the current Budget. In this process, Bengal has taxed herself to the uttermost. Even the most fastidious ought to be satisfied.

Sir, the most deplorable thing is that the expenditure in the current Budget exceeded the receipts by 11 crores and will exceed by 8 crores in 1945-46. That this should be so is highly discreditable to the Government of Bengal whose debt now stands at 19½ crores of rupees. Sir, egged on by untoward circumstances, Bengal is heading towards insolvency. In the circumstances, a party Government ought to give way to an all-Parties Government; but, Sir, blind communalism stands in the way. Sir, the Finance Member of the Government of India may think that the total indebtedness of Bengal even by the end of the next year will be quite modest in relation to her revenues and that the service of that debt will not be an intolerable burden on the province and may rest content with such assistance and subvention as the Centre may from time to time offer to Bengal. But we do not think so. Bengal must be pulled out of the ruts where she has been thrown in. Merely wiping out her debt will not do. The inequity of firstly, the Meston Award and, next, of the Niemeyer Award has been proved to demonstration. The financial statement which governs the allocation of revenues between the Centre and the Provinces must be revised and Bengal must be so placed in relation to her sources of revenues that she may not have to go with a beggar's bowl to anybody at any time.

Sir, Bengal alone of all the provinces in India is bearing the brunt of the war and of the war-made famine. Its zero hour struck when the denial policy dictated by the Government of India under the instructions probably

of the military on the apprehension of open invasion of Bengal was ruthlessly pursued first by late Sir John Herbert and then by the present Ministry. In mad pursuit of the denial policy, food-grains were seized and removed and all means of conveyance and transport save the Railways were seized or wantonly destroyed or rendered useless. It was difficult for surplus districts to come to the rescue of the deficit districts. All these contributed largely to the famine of 1943. The wanton destruction of the boats has led to an expenditure of 2½ crores in the current year for construction of boats and will lead to a further expenditure of 5½ crores in 1945-46 for the same purpose. We demand that the whole cost of the boat construction be borne by the Government of India. We demand that the expenditure necessitated by the abnormal conditions of war and the war-made famine be borne by the Government of India. These items add up in round figures to 14 crores in 1943-44, 29 crores in the current year and is expected to be 18 crores in 1945-46—mounting in all to 61 crores of rupees. I maintain that this demand of ours is based on bare justice and should not fall on deaf ears.

Sir, if we fail to get this justice, we shudder to think what will happen to us in future. The Hon'ble Mr. Goswami says that planning for the future has not been neglected although his own budget contains no scheme, no constructive suggestions which were so necessary for the best use of the funds. The post-war reconstruction committees assisted by a large number of sub-committees are at work drawing up plans for utilizing to the best possible advantage the opportunities for development which are sure to arise in the post-war period. Will the Finance Minister be pleased to tell us how he proposes to finance them? Huge revenues exceeding anything imagined before the war have been turned into deficits during the last few years. While Bengal has accumulated a revenue deficit of 1,583 lakhs, Bombay has accumulated a revenue surplus of 1,918½ lakhs and Madras has accumulated a revenue to the order of 800 or 900 lakhs. In fact, Bombay, Madras, Punjab and United Provinces and the Central Province have all accumulated surpluses during the war to push on industrial and all-round developments after the war. Will the Hon'ble Minister tell us how will Bengal compete with those provinces?

Besides Education, the Departments of Industries and Agriculture are the two most important departments for nation-building purposes. I wonder how the Department of Industries is wasting its opportunities. I am seeing the same queues now as I saw in the days of the Famine—people struggling for a piece of cloth as they struggled for a morsel of food in 1943. It is no exaggeration to say that the food famine has now been succeeded by cloth famine. "Even for funeral purposes, cloth is not available in the market" says Mahammad Iasin,, Secretary, Town Food Committee, Asansol, in a telegram, 23rd February to the Hon'ble Mr. Suhrawardy and requests the Government of Bengal to take necessary action. The news is typical of the situation which prevails in all Bengal. It is sad to think that while people are going about almost naked, the Department of Industries should have failed to secure and distribute yarn for want of which 2 lakhs spinning wheels are lying idle in Bengal. Sir, it is sad to think that the department by its remissness has not been able to multiply the wheels to make a crore of them to go round humming throughout Bengal producing yarn and cloth. Sir, in the matter of shoes again, we find that our *muchis* are a dying class. In their place, Bata Co. are flourishing. While Bata and other foreign companies are producing footwear for us, the Industries Department are producing yarns of reports promising that everything will soon be well but not one promise of importance materialised so far.

This leads me, Sir, to say a few words with respect to the Agriculture Department. A goodman is now at its helm no doubt. But his goodness is being exploited by designing persons. We find the department is up

against shortage of trained personnel and uptill now it has not been possible to secure the requisite qualified personnel in the Higher and Lower Agricultural Services or in the Services under the Department of Fisheries, which is a matter for shame. Consequently, the advancement whether in the Grow More Food Campaign or in the replenishment of livestock or in the development of fisheries or in the preparation of crop statistics is disappointingly slow. Sir, we disapprove of the Hon'ble Minister in charge of Agriculture importing foreigners as experts, say in dairy or poultry-farming, holding that equally capable, if not better, men were available here to cope with the work. I wonder why the Hon'ble Minister is not thinking of the reclamation of hill side lands and other cultivable lands to grow more food besides the railway side lands which in my opinion should have been left for pasturage. Jute growing should be cut down by 3/4ths of the 1941 acreage and the lands thus freed should be devoted to cultivation of food crops. But can the Hon'ble Minister explain why no determined effort has so far been made to make Bengal independent of the United Provinces and Bihar in the matter of supplies of cereals, potatoes and the mustard oil? There was a time when Bengal was self-sufficient in regard to these items. Agriculture should help Industries by extensive cultivation of cotton. At a time when there is a serious shortage of cattle, the department should have introduced the new method of cultivation by tractors. Even Bokhara has it. It is a shame that Bengal should go without it. The Department of Agriculture ought to be an insurance against famine. It failed to prevent the famine in 1943 and even miserably failed to cope with it. Sir, the Civil Supplies Department is a byword for corruption and jobbery and must be held responsible for many of the ills Bengal is heir to. We have spent over 3 crores of rupees after it. It ought to be, like Caeser's wife, above suspicion. A little examination will show that it has lost all confidence of the public. Take for example, the level of prices. The prices of all commodities are ruling high. This has caused people to be deprived of nutritious food. Fish they can hardly purchase. The milk is beyond their approach. Even vegetables cannot be had except at prohibitive prices. All these factors are so undermining the health of the general public that it is no wonder that the epidemics are persisting. Take another instance, its procurement policy. While the Hon'ble Mr. Goswami described what measures have been taken to deal with our emergencies, he is discreetly silent about the trading account of the Government's various procurement operations. Sir, we will not have any opportunity to move any cut motion and so get the details. Will the Hon'ble Minister be more explicit about it? They have been severe losses on procurement which cannot be explained away simply by saying that the Government had to under-sell the foodgrains to the public. What are the contributory causes? Were they not due to patronage of particular firms and bodies and to all-round dishonesty and corruptions? Were the stocks shown in papers recovered in full? Will the Hon'ble Minister lift the veil a little? Sir, why, we ask, were stocks of foodgrains allowed to rot which had to be thrown away and which could have saved, if distributed in right time, many thousands of starving people? Sir, they were even so unmindful of distribution that they allowed the people to die of diseases eating rotten uneatable food not fit for human consumption. Sir, the defective food-stuffs distributed together with what is known as Suhrawardy's gruel were great contributory causes for the spread of epidemics. The continued mal-nutrition was so undermining the vitality of the people that they began to fall an easy prey to attacks of diseases, particularly of malaria, small-pox and cholera. As an answer in the Assembly in the last week will show, there were 674,330 deaths in 1943 due to malaria and that the number of deaths from malaria in Bengal for six months from May to October, 1944, totalled 292,719. These figures speak for themselves. The after-effects of famine in 1944 were no less terrible than those of famine itself in 1943. The boasting therefore that there was no famine in 1944 is but a pitiless cruel joke unworthy of a civilized Government. Indeed, Sir,

Gods laugh when men boast, for behind their boasting there is forgetfulness of the past and an unconscious exaggeration of their own performances. There was no famine in 1944. But why was there a famine in 1943? It was a man-made famine. Men died like cats and dogs. War there was in England also. But there was no famine there. If there was no famine in 1944, it was not because there was the Government pledge that there shall be no famine in 1944. The Government of India took charge of feeding Calcutta and the industrial areas. Above all, Gods took pity on men and things here. Nature was bountiful and gave to Bengal, what it never had before, a bountiful and overflowing crop which in spite of Government's indiscretion and mismanagement in procurement and distribution prevented a second famine. So in all humility thank God—the All-merciful God for it.

Sir, in the case of Governments, honesty lies not only in saying what they are doing but also in doing what they say. When this Government came into existence in April, 1943, it promised among other things to liberate the political prisoners as fast as possible. The process of liberation has assumed snail's progress. It was about 500 last year at such time and it is 550 up till now, that is to say, in one year, only fifty more have been liberated. But we have not been told how many new seizures the Government made to offset so to say the number released. The total number of political prisoners still in jail will not be, I am afraid, less than 1,500. Most of them are being detained without trial. When we remember that the war broke out in September, 1939, and that since then many of them are in detention for over 5 years without trial, the enormity of Government's injustice becomes self-evident. Have the Ministers no heart? They call themselves popular Ministers. Do they not know that public are loudly demanding their release? Morality and justice demand that they should either be tried or set free. Sir, Government knows the weakness of its case and so has devised a sort of pretext of now revising the cases of these prisoners whom they themselves have thrown into prison, just to ease a pricking conscience. There is however no moral justification to keep these people any longer in detention. Their crime, if any, was that they loved their country too well; for is not the love of one's own country a crime in the eyes of our alien rulers? Sir, the situation in the country has vastly improved. The Japs are on the run, they are being closely followed by the allied army. The allies have practically won the war. So, further detention of these people would be wanton act of tyranny and terrorization unworthy of a civilised Government. Sir, we demand that the political prisoners be set free immediately.

Khan Bahadur NAZIRUDDIN AHMAD: Mr. Deputy President, Sir, I frankly congratulate the Hon'ble Minister in submitting before this House a frank budget. In fact, the defect about the Budget is its huge deficit, but the Hon'ble Minister has met the situation frankly, fairly and squarely. The huge deficit is something which was undreamt of before. Many explanations have been offered as to the case of this deficit. The honourable leader of the European Group today suggested that this was partly due to war expenses. No doubt, it largely explains a part of the deficit. In three years—the present, past and the next, the war expenses will have amounted on an average to 20 crores a year; but the deficit is something more than what this expenditure can account for. In fact, there are factors which offset the war expenditure and they were the war profits, the sales tax, the stamp, the Excise, Betting tax, Electricity duty and the like which have enormously improved on account of the war. There are also various other factors which have contributed to increased receipt. Then there was also the big subvention from the Centre last year. I, therefore, submit that the deficit has not been explained by the rise in war expenditure. I am constrained to submit that the deficit is due largely to the doings of the Civil Supplies Department. Mr. Purssell has suggested a very wise course that we should

discriminate while making suggestions of corruption against a large department like the Civil Supplies Department. I quite agree that we should be cautious about blaming one and all in the department; but I do not agree with him that the public should be called upon to be ready with evidence which will be sufficient to convict a person of bribery in a court of law before making allegations against the department. That is hardly possible and common sense would not require it. We find from experience that honest officers are not blamed by the public. There are officers who move from district to district with a reputation of dishonesty doggedly following them from place to place. As soon as a man of that type comes to a place, the people begin to whisper, and circumstantial evidence crops up which corroborates the fact that these people are dishonest people. There are undoubtedly dishonest people in the Civil Supplies Department. No doubt there are some people who are negligent officers in that department; but I must also submit that there are many honest and capable persons also there. In a large machinery when several wheels are loose and are not ready to move, then the motion of good wheels are also retarded; that is what is the case with the Civil Supplies Department. I know and I believe that there are very good and honest and capable officers there, but when they are retarded by difficulties they cannot function properly. In the district of Burdwan I find that prosecutions by the Civil Supplies Department have failed very largely. A friend of mine gave me a list of 47 cases out of which 46 cases ended in acquittal. This does not speak well of the department. I feel that the prosecutions are not lodged with proper care and cases too are not pursued with care and ability; and lastly there are many stories to tell of the way in which these cases are managed. In one subdivision in the Burdwan district there is a regular tug of war between the Civil Supplies Department and the Magistracy. This has led almost to an *impasse* which requires the immediate attention of Government. We cannot explain the huge deficit. We find that much profit has accrued from many public activities of the Government, but as to why this deficit should have arisen from the trading activities of the Government it is difficult to find out: Government should explain this matter fully. There is cloth famine all round. In Burdwan there has been a regular cloth famine for several days and no cloth was to be found in the market. There is one thing to which I would draw the attention of the House. In the Burdwan Central Co-operative Bank large stocks of cloth were kept for several months. They were stocked in a House which was leaking. During the rainy season bales soaked all the water that fell on the roof. When these cloths were sold to the public, it was discovered that they were absolutely damaged and used involving a loss of two to three crores of rupees! We should like the Government to enquire into the matter. The Central Bank authorities say that the District authorities were to be blamed for this loss and the district authorities suggest that the co-operative bank authorities were to blame. At any rate, this huge quantity of cloth is a loss to the public not only loss of money but the cloth should have been available to the public if they were not allowed to rot.

Then, Sir, with regard to the other things in the budget—there is the absence of any suggestion about post-war reconstruction. Insolvent as this Government is, it all the more requires post-war schemes. An insolvent's budget should be framed with greater care than that of a solvent person. I submit that in spite of deficit, post-war reconstruction schemes should not be shelved but must be worked out and solved. I join with those members of the House who hold that the Central Government have a large responsibility to shoulder. In fact, the situation created in Bengal is due to the presence of the war. This war is an all-India affair—nay, an Empire affair and Bengal must not be asked and expected to bear the whole burden. It is not a provincial matter and the deficit and responsibility should be borne by the entire country. In these circumstances, I submit that the Central Government should come forward to meet this large deficit.

It has also been suggested that the reluctance of the Government of India to help Bengal is due to the belief that adequate staff has not been kept ready here. But the Central Government must be held responsible. The huge deficit is not due entirely to mismanagement but due largely to economic circumstances over which nobody has any control. The crop surplus occurring last year was not man-made. It was a creation of Nature. Circumstances created shortage in 1943 and circumstances created surplus in 1944. (MR. RANAJIT PAL CHOWDHURY: What about hoarding?) So far as Government hoarding is concerned, there is no trading loss which has been admitted. There is some screw loose somewhere and it is necessary for the Government to show and repair it. The Hon'ble Finance Minister is not himself responsible for the big deficit. But he is both the accountant and the advocate for all the departments including the Civil Supplies Department. He has got to take the credit as well as blame. There is nothing personal in my remarks about him. I submit that the budget with all its faults and difficulties has been presented with frankness, though we should have expected more explanation and more constructive suggestions.

Alhadj Khan Bahadur Sk. MD. JAN: Mr. Deputy President, Sir, the Budget for 1945-46 as presented by Mr. T. C. Goswami in my humble opinion is the most painful demonstration of dismal failure of the Finance Minister and with him the present Ministry to tackle the disrupted economic situation prevailing in this province for the last three years, and if in spite of large subvention from the Centre, huge increase in the revenue the deficit is increasing year by year with total estimated deficit of 19 crores at the end of next year it shows that the economic structure of this province is not only out of gear but has completely broken down. One shudders to think what will be the condition of the toiling masses of this province sooner or later when they are called upon to bear this appalling liability. While Bomay, Madras, Punjab and all other provinces have accumulated huge revenue surpluses and are planning new post-war schemes with sufficient funds to implement them, Bengal has accumulated 19 crores deficit and is unable to meet even daily necessities of life. It is true that natural calamities, namely, famine in 1943 and proximity of war zone to this province, are responsible for the present state of affirs but the present Minister, one party Government, not by the people and for the people, but for a selected few who are piling their fortunes on the miseries and death-beds of the people, has completely failed in mitigating their suffering in their present adverse natural situation. They care more for the party which support them than for national interest, and are only interested in keeping themselves in power by distributing patronage, creating many more employment for their supporters, latest example is Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, increasing monthly salary and daily allowance, which is to all intents and purposes "vote-catching" measure. In short, they please their party members in all possible ways in the name of communal justice, equal opportunity for all and many other false slogans, with the result that incompetence, nepotism and corruptions are reigning all through the administration. This explains why hundreds and thousands maunds of rice and foodgrains are spoiled and are sold as fodders while people die of hunger, and according to one newspaper report 6,000 maunds of foodgrains stored in Botanical Gardens had completely decomposed giving obnoxious smell and polluting the atmosphere of the locality and was not even fit for animal fodder. This is the reason that in foodgrains trading operation 22 crores are lost due to inexperience or lack of honesty or both on the part of the officers and those appointed as food procuring agents. Last year people were dying of hunger, this year there is cloth famine. Even Central Government has become callous to the needs of the people of this province. While other provinces are getting 16/20 yards per head Bengal is allotted 10 yards per head, as if Bengal is deserted. The reason is that they have lost confidence in the Government of this province as quota for the cloth so far supplied has not been properly distributed. One

wonders that the Government which maintain efficient Intelligence Department and are fully aware of political ideas of the people in remotest corner of Bengal are helpless in detecting unpardonable crimes which are daily committed in the blackmarkets perhaps with the connivance of the Supply Department under a reputed popular Minister. The truth is that whole administrative machinery is seething with corruptions and bribery unheard of before.

In my humble opinion time has come to call a halt to party politics in Bengal and we should all combine to put our own house in order before we ask others to help us. We should combat the evils of corruptions and eradicate bribery with all force at our command and this is only possible when we get rid of one party Government and we put our heads together for national sufferings instead of placating our party members. Only after establishing an all-party Coalition Government we can make strong representation not only to India Government but also to India Office at London whose directions are followed in India, to come to the rescue of Bengal, not in haphazard manner but substantially so that Bengal may stand upon its own legs.

As I have said before, the suffering of the people of this province and huge expenditure incurred is to a large extent due to the proximity of this province to war zone and denial policy which rightly or wrongly was pursued in the interest of India's safety. Therefore, whole India is morally and legally bound for making up the financial loss suffered by the people of this province. But I do not think that the party in power will co-operate in a Coalition Government and therefore I would ask His Excellency the Governor to apply section 93 and govern this province with the help of experienced honest advisers of his choice. It is a matter of common knowledge that under the present constitution Governor of a province is armed with ample power to dismiss a Minister or whole Ministry, whose conduct is not conducive to popular interest, not only for maintenance of law and order in the province but also to save the people from total extinction at the hands of the opportunists and self-seekers. If the Governor of Sind can sack Alla-Bux Ministry for expressing an opinion by the Premier, which in his opinion was dangerous for the security of the Province, why cannot Mr. Casey who must be sorely dissatisfied with the present Ministry, dismiss his incapable Ministers, and earn the gratitude of many millions of Hindus and Mussalmans, who are suffering untold miseries for their inefficiency, to say the least. I have full confidence that as soon as this House and the Lower House are prorogued by His Excellency the Governor and section 93 is applied, on the one hand bribery and corruption will be things of the past or at least definitely on the wane, and on the other the obstructing party and its supporters realizing their personal loss, if not national honour, will submit to Coalition Government which is the supreme need of the hour.

I may add that the desperate situation which prevails in the country calls for an all-out effort and this can only be done if an atmosphere of mutual goodwill and responsibility is created, so that all communities and all sections may work together for the common good. In abnormal times like the present no party Government can lead the province to prosperity. All schemes of relief and rehabilitation and improvement of the conditions of the masses are bound to fail. Famine conditions are still obtaining in the Province, death-rates from diseases due to malnutrition are the same as in 1943. Therefore, Sir, I do not support the Budget as presented by the Hon'ble the Finance Minister.

Mrs. K. D'ROZARIO: Mr. Deputy President, Sir, I would like to thank the Hon'ble Finance Minister for the pains he has taken in presenting his Budget statement in a form that makes the broad issues easily understandable, and to express the hope that his example will make a precedent for the future. Among the many points he has touched on there is one which has

aroused my special interest. I refer to the establishment of a division for enforcement and public relations in the expansion of the Civil Supplies Department. Sir, unless this division justifies its creation very shortly, I am afraid, that however well conceived Government's other plans for alleviating the civil supplies situation may be, they will fail to arouse popular enthusiasm or co-operation. The position today is most unsuond and unsatisfactory. The machinery for food rationing is not working smoothly, as it ought. The quality of the commodities offered in the public ration shops is very poor, rice in particular. I would like to mention here that the persons who run these ration shops, according to reports that have reached me, appear to be lacking in any sense of duty and courtesy towards the public. Cloth is almost unobtainable to persons of slender means, and the controlled charges for tailoring are absurdly high. The black market continues its scandalous operations almost openly.

I am aware of the force of the argument that in the last resort it rests with the public to expose the hoarder, profiteer, and corrupt operator, but how is one to explain the seeming reluctance of the man in the street to act according to this principle. Surely it must arise from his lack of conviction in the effectiveness of official action.

If, therefore, enforcement is to succeed, something better than merely advising the public to report cases to the nearest police-station is called for. Government must satisfy the public that the time and trouble involved are worth while. I therefore look forward hopefully to the functioning of this new division in a manner that will capture the imagination and support of the general public. Sir, every twelve months on this occasion of the presentation of the Budget, I find myself reverting to two subjects over which it seems almost impossible to evoke any fitting response from the departments concerned.

The first subject is that of civil sick nursing in the Province. Last year I dwelt at some length on the miserable conditions and terms of service under which our nurses are expected to carry out their very exacting duties. It is not surprising to learn that many nurses, and these are usually the more capable ones, are abandoning their calling for the more pleasant and lucrative openings obtainable elsewhere. I cannot understand how Government expects its ambitious schemes for medical relief to succeed unless backed by an efficient and contented nursing organisation. I would suggest to the Honourable Minister that this subject should be given the immediate attention it deserves, if the public is to derive the maximum benefits from the large sums of money to be spent on civil hospitals.

The second subject I wish to refer to is that of Anglo-Indian Education. It would appear that Government is unwilling to do more than meet its statutory obligation in budgeting for this department which is so vital to the community. Meanwhile the dearth of teachers continues. Moreover the policy of requisitioning school premises has given rise to grave unsettlement as a result of the dispersal of the pupils. I will confine my remarks on this point to expressing the hope that this process has now reached its limit, and that the authorities will oppose any further encroachments on our schools.

Mr. HUMAYUN KABIR: Mr. Deputy President, I must at the outset make it clear that in criticising the budget statement at the fag end of the discussion, it is not my purpose to go into the details which have, I have no doubt, already been discussed amply in the House by previous speakers. I am also unfortunate in that I was not able to listen to the many valuable suggestions which must have been made by members on this side of the House. In discussing the budget, I propose to follow to some extent the procedure which has been adopted by the Hon'ble the Finance Minister. At the very outset of his speech he states that he does not want to follow the usual procedure but would attempt to give only a general picture of the budget and confine himself only to a few salient features. If we follow

the statement clearly, we shall find that he has on the whole adhered to that programme. I will not complain of his language. We in this House and elsewhere know that he has the art of saying beautifully things which, if they had been stated more blankly and nakedly, would have shocked people by the picture that they presented. He certainly has the gift of words. We in this House know that he has also the gift of eloquence. He has to a certain extent got away with the presentation of a budget which, if it had been presented by somebody else, would have provoked very much more criticism than has actually been the case. He certainly knows how to present a poor case in a well-garnished manner. I neither intend nor have I the capacity to follow him in that line.

I will attempt to underline some of the things he has omitted and draw pointed attention to some features of the budget where he has attempted to gloss over the financial picture of the province. Certain things stand out very clearly. There are two aspects of the budget presented in this House. There is, first, the political aspect of the budget as a whole. I think every member of this House will agree that this is nothing but a political budget. It is more a political budget than anything else. Perhaps we have not had such a political budget for a long time. Different people have characterised budgets of different years in different ways. My friend the Finance Minister's budget may be characterised as an unabashed political budget. Even the name chosen by him has a political significance. He said it is a budget for rehabilitation. It is more a political rehabilation than an economic or vital rehabilitation of the province.

The budget passes over and ignores many of the drawbacks and the deficiencies in the programmes or policies followed last year. It holds out promise of things which again perhaps at the end of the year will remain mere promises. We may be told that on account of the circumstances over which the Finance Minister had no control, they could not be carried out.

There is another side of the picture—the picture of the budget so far as it deals with the actual problems of the province. I propose to deal with them separately. I would take the political aspect of the budget first. Under the different heads in which the budgeted expenditure has been allotted, it is clear that there is a strong desire—and I do not question the desire—there is a genuine desire to do some good to one's own political partisans. Both in intention and performance, consideration of outstanding problems have been directed and governed more by political consideration than by any other factor.

We may take up any one of the problems which have become so serious in the course of the last few years. There is the problem of lack of food, there is the problem of want of clothing, there is the problem of destruction of the small-scale industry. Together they threaten rural Bengal with ruin. Sir, I recently visited Baburhat, which may be called the Manchester of Bengal, an area which the Hon'ble Minister in charge of Commerce and Industry knows very well and with which he has many connections. I found there that during the last 20 or 25 years a large rural industry has grown up. Baburhat is known to almost every member of the House. Most of the men there were cultivators. They are not weavers by caste. They took to weaving on a small scale in order to supplement their meagre income as a result of the great political movement in the early twenties of this century. I had occasion to visit Baburhat; I was told that Baburhat is the marketing centre for nearly two lakhs of weavers. I cannot vouchsafe for the figures. From the figures available locally,—Government do not supply us with statistics, there is always some margin between their figures and the actual figure,—I was told that about 2 lakhs of weavers who depended on the local market are sitting idle——

Mr. DEPUTY PRESIDENT: How long will you take Mr. Kabir?

Mr. HUMAYUN KABIR: I will take some time.

Mr. DEPUTY PRESIDENT: Then you had better continue your speech on the next day. I would now request the Leader of the House to announce to which date the House should be adjourned and what would be the business.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The House would certainly be adjourned till tomorrow and, as you have given ruling that no other subject could be discussed before budget is finished, discussion on budget will continue. We shall arrange to have the necessary orders from His Excellency. In this connection, I may mention one fact. When this programme of business was circulated to the honourable members a month ago, the honourable members in the Opposition could see at that time that 3 days had been allotted for the general discussion of the Budget and if they had brought this fact to the notice of Government that previously there used to be 4 days' discussion on Budget and there was no reason this year for a reduction in the number of days, much of this inconvenience could have been avoided. However, Sir, as you have held that the general discussion of the Budget should be continuous, we shall discuss the Budget tomorrow also.

Mr. DEPUTY PRESIDENT: In that case, Professor Kabir, might continue his speech tomorrow. I now adjourn the House till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Thursday, the 1st March, 1945.

Members Absent.

The following members were absent from the meeting held on the 28th February, 1945:—

(1) Rai Bahadur K. C. Banerjee.
(2) Mr. B. C. Datta.
(3) Mr. K. K. Dutta.
(4) Mr. R. W. N. Ferguson.
(5) Mr. J. S. Graham.
(6) Mr. M. R. Jaipuria.
(7) Maulana Mohd. Akrum Khan.
(8) Mr. N. N. Moholanabish.
(9) Khan Bahadur M. A. Momin.
(10) Mr. N. N. Mookerji.
(11) Dr. K. S. Ray.
(12) Mr. Yakub H. S. Sattar.
(13) The Hon'ble Sir B. P. Singh Roy.

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BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 8.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 1st March, 1945, at 1-30 p.m., being the eighth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Point of Information.

Mr. HARIDAS MAJUMDAR: On a point of information, Sir. With reference to my short-notice question regarding Sj. Satin Sen's hunger-strike in connection with the treatment of T.B. prisoners, the Hon'ble the Leader of the House promised to reply thereto——

Mr. DEPUTY PRESIDENT: The Hon'ble Home Minister will make a reply to your short-notice question on Monday.

Mr. HUMAYUN KABIR: Sir, are there no questions to-day?

Mr. DEPUTY PRESIDENT: No, there is no question to-day. I want to take up items II and III in the ORDER PAPER, namely, "Laying of the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, before the Council" and "Presentation of Supplementary Estimates, 1944-45," after general discussion of the budget is concluded. Now, the House will resume the general discussion of the budget.

General discussion of budget.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, yesterday, in opening my discussion on the Budget Statement presented by the Hon'ble Finance Minister, I was saying that the most significant feature in this budget is its political character. I think that it is this political character which overshadows the whole composition of his budget speech and gives colour to the statement as a whole. I propose to refer to the statement made by the Hon'ble Finance Minister himself to bring out how he has allowed this political consideration not only to influence, but one might say overwhelmingly influence, the formation of the Budget statement of the year.

On page 13 of the statement which was circulated here, he refers to the "grand procession of figures" in the region of a little over 61 crores which "is the measure of the impact of war on Bengal". He goes on to comment that this impact of war on Bengal has influenced Bengal's finances in a manner of which we can find no comparison in any other Indian province; he also feels, as he has himself stated in a later page of his statement, that any demand we might make from the Centre for assistance in the expenses incurred in connection with the war, is more akin to the claim for compensation in a court of law. It is not an unconscionable demand; it is not an appeal merely to the mercy of the Central Government, even though the Finance Minister has at times, when he has looked at the ruin which surrounds him in Bengal—ruined politically, ruined agriculturally and ruined industrially—and the ruin which has affected the very quality of the life of the people of this province, he has felt that it is meet and proper that he should don the weeds of woe.

I certainly sympathise with him in his desire, for the picture which he finds all round him will make any one desire to don the weeds of woe;

but unfortunately for himself, he cannot deserve our sympathy. Another statement which he makes at the very next page reveals his responsibility for the miserable condition in which he finds himself today. There will be sympathy for the conditions throughout the province, but not for the causes which have led to this condition, and we find that the conditions are very largely of his own making. Towards the conclusion of his statement which has been circulated, he says that "the distressing thought which is uppermost in my mind this afternoon is that Bengal will face the problem of reconstruction without that self-assurance which the other major Provinces and States of India have been able to acquire".

I ask the Hon'ble Finance Minister to undertake a scrutiny of his own heart, to institute a searching examination into his own mind as to why it is that he should be troubled with the distressing thought that Bengal today cannot face the problem of rehabilitation and reconstruction with that degree of self-assurance which other major Provinces and States of India have been able to acquire? In spite of the fact that the Finance Minister himself feels, and I think every member in this House will agree with him that the claim of Bengal is one for compensation rather than for compassion, for bearing the burdens imposed upon Bengal by conditions over which Bengal had no control, the Finance Minister is afraid that Bengal today cannot press her claims. In this demand for compensation he is within his rights; yet why is it that in making this demand he himself either dons the weed of woe or marches to the Central Government appearing as a supplicant? Even when he goes to the Centre, why is it that he will go there not with a feeling of assurance, but diffidently: with a divided heart and without that assurance which is indispensable if we really want to improve the conditions which obtain in Bengal today? I ask him—why is it that he must don the weed of woe? Why is it that he must needs go to the Centre asking for compassion when he could demand compensation with a bold heart and a clean hand? I ask the Hon'ble Finance Minister to consider why is it that he does not feel the strength of the whole of political Bengal united behind him in making a demand which I think every party in this House will agree is a legitimate demand? Who has created this division?

I said at the very outset that the governing feature of the budget is its political character and this political character has a curious shape. On one side, this political character of the budget makes him diffident before the other provinces, makes him a supplicant and a supplicant without confidence so far as the Centre is concerned. I am quoting his own statement, Sir, the statement which he has himself made, that he cannot go to the Centre with that self-assurance which other Provinces and States of India have been able to acquire. Can he deny that this diffidence and lack of assurance is due to divisions and disunions in the political life of Bengal? I will not say that the Finance Minister has created all such differences, but can he deny that he is partially responsible for perpetuating them?

These divisions have placed Bengal in a position today where Bengal cannot press her demands either before the Centre or before the bar of public opinion with confidence. Therefore, the Finance Minister's attitude is an attitude of defeatism so far as help from outside is concerned. With regard to the other aspect,—the internal political picture of the budget—I have no quarrel with the purposes of many of his disbursements. Men, irrespective of their political opinion, will welcome the principles he has generally formulated; but the point is—are these amounts which are being disbursed being spent properly? Does the practice correspond with the profession? Do we not find the spectre of political considerations and the shadow of political manœuvering necessary for satisfying particular parties casting a gloom over fair prospects? Do we not find almost under every head items which are ostensibly for good purposes, but which have been spoiled because of the bad use made of the money?

The Finance Minister has provided money for the "Grow more food campaign". May I ask him to enquire from his own colleagues whether money under this head is being properly spent? Whether we do not find wastage and misuse of the opportunities which circumstances have placed before Government? Are Government not simultaneously eating into the meagre resources which this province have at the time? I will give one or two examples. The Bengal Government are building State orphanages and so far as State orphanages are concerned, it is a good idea. But the Hon'ble Minister concerned should consider not only the money spent over them, but also their sites. Does he know that these orphanages are being built on good agricultural land, not because other land is not available, but out of ulterior and often discreditable motives?

In my own district, there is a large area, a healthy area suitable for the purpose, and I would ask the Hon'ble Minister in charge of Agriculture to deny whether that area is not a suitable one. Yet, for political and party considerations, in order to satisfy some henchmen of the present Ministry, that site has to be changed; and even though large tracts are available within the district, very near to the town, within a couple of miles, thousands of bighas of land are lying fallow, instead of using this high land, valuable agricultural land has to be acquired for the orphanage. I am sure that the Agriculture Minister will bear me out that this is not the only example. I hope I am not giving out any secret when I say that even with regard to the scheme of cattle improvement in the province, large areas have been acquired and I have it from very high authority that some of the land taken is cultivable land. Bengal is today in dire want of food. More land is required for cultivation. Is this the time when valuable land—arable land should be diverted into either orphanages or pasture grounds? I hope the Hon'ble Minister for Agriculture will take note of the serious consequence if valuable agricultural lands are diverted in that manner. Other lands lying fallow could be used to much better effect for these purposes. Is this the way in which the good intentions of the Hon'ble the Finance Minister will be translated into action?

Again, take the case of procurement and distribution of foodgrains. We find that one of the biggest items in the budget refers to the procurement and distribution of foodgrains. We are told by the Hon'ble the Finance Minister that the total loss for transactions will be over Rs. 22 crores. The reasons which are given may be classified into two groups, namely, some are natural and inevitable, that is, loss and wastage due to natural circumstances like the natural deterioration in the quality of the stocks; but there are other factors which are controllable. I would ask the Hon'ble the Finance Minister whether he can justify these losses even to himself? When the prices are gradually moving downwards, he is still charging the same price as before. Can he justify to himself that losses were incurred on account of the lower rates charged from the public? Will he give the actual loss in the transaction, both the purchase rates and the rates at which the foodgrains were sold? The experience of the public is, on the contrary, that everywhere the control prices of the Government have been higher than the rates which obtain in the market today.

I ask the Hon'ble the Finance Minister, I ask every member of the Cabinet, to consider whether they were justified in allowing the foodstuffs to rot while the people of the province were starving? Is it not a fact that during the dark days of 1943, there were in the Government godowns large accumulated stocks which were not released even though the people were dying from starvation? Is it not a fact that in 1944 the large quantities of wheat which the Punjab Government sent to Bengal were allowed to deteriorate and decompose? Is it not a fact that decomposed wheat was sent to chemical examiners to see whether they could be of any use? I ask the Hon'ble the Finance Minister to consider for himself why these things happened. Were such incidents due to the fact that agents, who had no experience in the line, were given contracts for political considerations rather than in consideration of business efficiency?

Large sums of money have been spent on relief but through agencies which are unreliable. No doubt moneys were provided, but they were not properly utilised. This could happen because this Cabinet depends upon a very sectional support, upon the support of a particular group buttressed by the neo-Muslim League party, otherwise known as the European party. The Ministers feel that they can continue with the support of this neo-Muslim League Party and run the administration. I ask the Hon'ble the Finance Minister, who is a man, I know, of sensitiveness, I ask him to say whether he can justify to his own conscience the steps they took to withhold the supplies when the people were starving. There were medicines which were available in the province but they could not be distributed at the proper moment and at the appropriate time.

Now, Sir, take the textile position of the province. I made a passing reference yesterday to the textile position so far as the weavers are concerned. I would ask every member of the Cabinet to answer my questions to himself. Very often speeches have a political tinge and do not make the proper impression upon the minds of the Hon'ble Ministers. Therefore, I ask them to answer to themselves whether they can justify the present textile position in Bengal.

I know there is shortage of yarn, but here also Government have not done anything substantial to improve the situation. Yesterday I was referring to Baburhat, otherwise known as the Manchester of Bengal. A large number of weavers, indigenous weavers, not only supply their own needs but also supply a great portion of the needs of rural Bengal. Have the Hon'ble Ministers enquired, have they taken the trouble to send either one of the Ministers concerned or one of the Parliamentary Secretaries to see what is the actual condition in this area? Are not people starving there? Is it not a fact that the people of this locality are even harder hit to-day than they were in the dark famine days of 1943? They have somehow survived the food famine of 1943. They have struggled through the difficult days of 1944. But the cloth famine of 1945—and these are people who are dependent for their very sustenance on weaving—is going to finish them.

It is not merely a case of the loss of life and sustenance of these weavers, it is also a grave danger to the economic life of rural Bengal. It is a case where the needs of a very large proportion of the people in the rural areas will no longer be satisfied. I ask the Hon'ble Finance Minister and his colleagues in the Cabinet to consider why is it so? Why is it again that they cannot control the corruption and the bribery and the inefficiency which is rampant all around? They have themselves admitted it and higher authorities in this Province also have admitted it. The state of public morals, the state of the *morale* of the officials, the general tone of the administration is lower than it has been at any time perhaps within remembered memory. Why is it that the Hon'ble Finance Minister and his colleagues are unable to check it? Is it because they must depend upon sectional support? Is it because they feel that they must at any cost maintain their Ministry and that they must at any cost satisfy their own supporters? I ask the Hon'ble Finance Minister and his colleagues to ponder this question to themselves and give an answer for themselves even though I know that they will not give a proper answer on the floor of this House.

Sir, the same story is repeated in the programme of irrigation and boat construction. About boat construction, the less said the better. We know the hurry and the lack of consideration which was shown at the time of the destruction of boats. Must they show the same lack of consideration and hurry in distribution of the boat contracts? I ask the Hon'ble Finance Minister to reply if he himself is satisfied with these contracts. Have the construction of boats been deputed to the proper persons? Is it not a fact that the supporters of Government and even members of the Legislature

have overnight blossomed into boat-builders and contractors? Members of the Legislature, if they are normally in the trade, if they are businessmen by tradition, by their habits, and by their past association, would be entitled to get these contracts as any other normal traders. Is it not a fact that within the short interval of time which it takes in changing one's position on the floor of this House and transferring one's seat from one corner of the House to another, we have found that certain members have been transformed into boat contractors and boat builders? Can the Hon'ble Finance Minister satisfy himself that this kind of sudden blossoming into boat builders on the part of the honourable members of the Bengal Legislature is either justified or defensible?

Sir, again there is the question of irrigation. Here it is more on a matter of policy that I would like to speak. Here also the grounds of criticism will be strong enough. Is it right that in the present condition you should have the small irrigation projects taken up by individual agencies who are often unable to visualise the needs and the requirements of this province? It is not like a piecemeal and ramshackle construction of roads? Are district boards, local boards and union boards the proper authorities for undertaking these irrigation projects? Is it not a fact that unless there is a centralised agency, this sort of irrigation will very often do more harm than good?

I have been saying from the very beginning of my speech that the colour of the present budget is wholly political. On the one hand there is a defensive attitude so far as the Centre is concerned; there is a defensive attitude so far as the general public are concerned, there is a defensive attitude so far as any project of reconstruction and rehabilitation is concerned. On the other hand, there is their attitude of patronage, their attitude of blandishment, their attitude of sweet equanimity, and sweet affableness so far as partisans and supporters of the present Ministry are concerned. I know that in the name of a stable Ministry many crimes are perpetrated. I know that my friends to my left, namely, the European party, have always one defence. They want a stable Ministry and they will never enter into a combination where there is the least doubt of stability. They must have a stable Ministry but must it be an Augean Stable Ministry?

It lies with the Hon'ble Ministers themselves to strengthen their position. Their position before the Centre is weak, their position before the public is weak. So far as any programme of construction and rehabilitation is concerned, they are weak because they are divided. They are divided because they try to stand alone, because they stand only for partisans and partymen and such support is very often purchased. If instead, they had a boldness of vision, if they had the courage to come forward and appeal for co-operation from all sections of the House, I think the political landscape would have changed. So long, I know there was one plea. Unfortunately the Hon'ble the Chief Minister is not here today, because he would be in a better position to answer this particular point than the Finance Minister. So long the plea was that the Muslim League was not prepared to enter into coalition with non-Muslim Leaguer for purposes of Government. But even this last leg has gone. The Europeans support the present Ministry today and prevent the formation of a coalition Ministry between the League and the other Muslim and non-Muslim parties. In spite of all the tall talks of Mr. Jinnah and the protests of his supporters, that policy of non-co-operation is altogether gone today. I would ask the Hon'ble Sir Nazimuddin to deny, if he can, whether in December 1941 he was not negotiating with other Muslim parties in order to form a coalition cabinet in this province in which non-League Muslims would also be represented? That coalition did not materialise and he went into the Opposition. Later he found that with the help of the European party in the House he would be able to carry on the administration even if he ignored all other sections of the legislature. It was only then that the League party developed a new sensitiveness and began to say that the

Muslim League could not enter into coalition with any other Muslim party. Sind has proved that it is possible to form a Muslim Cabinet with Muslims of all parties. The Punjab has also proved that, and the Frontier Province, before perhaps a fortnight is out, will again prove that this protest on behalf of the Muslim League is to be regarded like the protest of the "lady who protests too much".

Mr. HAMIDUL HUQ CHOWDHURY: Mr. Deputy President, I do not intend to introduce any heat into today's discussion of the budget like my friend Mr. Kabir and others. The budget which has been presented to us is a continuation of the tale of our sorrow. What happened in Bengal in 1943 is still continuing. The year 1945-46 does not give us any hope of things getting into proper order. But all the same, the budget does indicate that great efforts are being made by the present Government to put the country on its legs. The activities of the Government in the different departments have been appreciated and admitted by friends and foes alike. Even my friend Mr. Humayun Kabir could not refrain from saying that the steps taken by the Government constitute a move in the right direction. But he found fault with the method of their execution. That seems to be the only complaint which my friend has against the Government. So far as the Ministers are concerned, they are struggling through very difficult situation, but the difficulties of the situation have not deterred them from pursuing the programme which they have undertaken. For me it is necessary to point out that I have not been satisfied with the way in which the Civil Supplies Department budget has been presented before the House. It has been a common complaint in this House and elsewhere that the method of presenting the figures in this House is such that it is not possible to pass any judgment over them. This remark applies specially to the food purchase organisation. The amounts spent have been put in a lump. The Government itself or the executive officers who are responsible for carrying out this policy will not be able to say,—unless they get facts and bring them before the House—what steps should be taken to prevent the enormous loss that has been incurred. It has not been made clear except in the matter of wheat as to what is the total cost of some of the departments, e.g., Supply Department, Police Department, etc. The House is entitled to know and the public would like to know the actual amount of loss under this head. There is nothing to show what is the loss on account of the destruction or deterioration in the quantity of food. That is essential, because unless we know the amount of actual loss and also the steps that have been taken to prevent wastage, how can we say whether it was justified or not. The wastage under this head is the major item of wastage. Unless we know that, we cannot say that there should be more serious effort to prevent the wastage or loss on that account. Therefore, it is essential for us to have a clear idea as regards the trading operations of the department. According to the system so long followed, purchases were made through Government agents; but we ought to know whether these agents are responsible for delivering the quantity at the purchasing centre. If they are responsible for delivering at the purchasing centre, then we would naturally like to know what is the Government organisation for transporting it from the purchasing centre to the delivery area. What particular steps have been taken in order to check it? Then, another point that needs looking into is the system of payment that is now in vogue at this stage by the permanent officers of the department, namely, if payments are being made against bills and railway receipts and not against actual stocks. I lay stress on this matter because the difference between the two is very serious. In one case there may be payment on bills which may have been inflated or on railway receipts which may have been manipulated and there may be less quantity than what has been shown in the bills. Therefore, it is essential that these different stages should be carefully watched and organised. I admit, and every one who has an unbiassed mind to apply to this problem must admit, that it is an enormous task that has been thrown

upon the permanent officers of the department who have never had th training in trading. Indeed, there can be no denying the fact that the have been asked to execute the full scheme all too suddenly and it woul be too much to expect that the entire organisation for maintaining the civi supplies would be put in perfect order in such a short time. But time ha come when we should be able to set up a more sound and workable organisa tion and the more quickly we do this, the better. I have always pleade that it is essential when the administrative departments are called upon t carry on such huge commercial schemes, they should have by their side body which might be called an advisory body consisting of men drawn fron different walks of life. The Central Government has got this and we alsc have got these bodies in the districts and subdivisions but we should alsc have such a body here. If we had such a body here, they could criticise the Government's programme and line of action and they could immensely profit by their advice. There is nothing at present to check whether particular scheme of procurement or a particular system of procuremen which had been adopted previously is still workable or not. There i nothing to tell us whether the present Government agents are economically procuring the various commodities. Therefore, immediate steps should b taken to bring about a change which may improve things. It may b argued that this method would not be in accordance with the Governmen tradition. Because, once they have adopted a scheme they carry on wit it till somebody else comes to their rescue and says that this cannot b continued any longer with safety. This sort of rigidity is not allowed i commercial organisations. They introduce a change with quickness an alertness if they can be sure that the new method would improve busines immensely.

Now, Sir, much has been said about the scarcity of cloth and yarn. Sir I have been associated with this cloth scheme both at the Centre and here because I have been on the Advisory Board both in the province as well a in the Centre. I must tell the House that this unfortunate situation i Bengal is due to the fact that this particular trade is the monopoly of small section of people who do not form part of this province. Thei existence, their commerce or industry produce no beneficial effects on thi province: I mean the Marwari Community. They come all the way acros the desert of India from Western India to this province. They hol absolute monopoly so far as the cloth business in Bengal is concerned. Fo the present cloth scarcity, this particular trading class is entirely respon sible. Efforts have been made from the very beginning by the Centre t keep these Marwari traders under control but that endeavour has faile utterly. We do not grudge them legitimate profit. Give them the profit they are entitled to according to the regulation. But at the same time prevent them from having those opportunities by which they push thes goods out into the black market. I can tell you, Sir, that there is no kind o cloth which used to be available in Calcutta before this difficulty arose bu which is not available to-day. You can get everything you want in Calcutta provided you pay the black market price. Whatever the Hon'ble Ministers may say, it is the experience of everyone that he cannot buy a piece of cloth except by paying three times its price. As I happen to be associated with these committees, some traders approached me on several occasions with petitions to give them cloth for their districts. They came to me and told me that so and so are the people from whom they used to get their cloth, but now although these people have got stocks with them they deny that these stocks belong to them——

Mr. SHRISH CHANDRA CHAKRAVERTI: What is the Civil Supplies Minister doing?

Mr. HAMIDUL HUQ CHOWDHURY: As I have already told you, the Civil Supplies Minister has been over-burdened with work. A very big department is on his shoulder, and he has not been able to devote all his

time for this purpose, although he works from 9 o'clock in the morning to 6 o'clock in the evening. The Textile Advisory Committee, on which a large number of marwaries sit, have recently recommended that the Government should take over the entire stock as they have done in the case of rice and other foodgrains and then distribute it through the usual trade channel. This should be done before you have been able to initiate a scheme of rationing by a system of cards, because the introduction of rationing in respect of cloth by the system of cards which has been so glibly spoken of by my honourable friend Mr. Bankim Chandra Mukherji will be a much more difficult task than in the case of foodgrains. I am told, Sir, that there are about 20,000 varieties of cloth, and at least 15,000 varieties of cloth are in demand and sold in the markets of Bengal. Therefore, rationing each variety of cloth according to the needs of the people would require effort and capacity which may baffle us for some time, but it is not absolutely insoluble. The western countries have done it with their experience of the past, and we ought to be able to do it, if not in two months at least in one year. Therefore, as the difficulties are certain to continue, it is high time that Government should put the entire organisation into force. Bihar, Sir, has done it. When this scheme was originally recommended, the Government of Bengal was in favour of it; but opposition of a very virulent character came from Bombay and Ahmedabad which made the Government's task impossible. This is the motto of most of my friends opposite, and this is the motto which their friends from Bombay and Ahmedabad in their own interest have persistently followed in practically defeating the efforts of the Government of Bengal in getting the stocks. Now, Sir, the public professions of the Government of India officials who have been entrusted with the task of control of cloth and their private practice have been at variance. The Secretary in the Civil Supplies Department of the Government of India and the Textile Commissioner, Mr. Vellodi, speaking in Bombay said definitely that "it is our conviction that the trade has not played the game, and it is the cloth trade that has been responsible for this scarcity of cloth". But in spite of this profession and the promises that they have given, up to now they have failed not only in one area, namely, in Bengal or in Calcutta, but throughout India. The Government of Bengal was well inclined towards the traders but the traders being very powerful succeeded in corrupting some sections of the people though not all and thus introduced black marketing. And a most powerful section of the traders made Government draw up schemes which would favour them hundred per cent. better than the purchasing public. This Government has been trying to take steps not in furtherance of their interests but against their interests. Therefore, this particular Government has been trying not to further the interests of the black market but have unfortunately failed. In Bombay in spite of the influence and position of the trading community the Government have been compelled to take the desired steps and I dare say that had not section 93 of the Government of India Act, 1935, been in operation there, probably that would not have been possible, because the Ahmedabad and Bombay millowners who are the treasurers of the Congress party would not have allowed the Congress Ministry to run away with the interests of the trade for protecting the poor man's interest. That is the position in Bombay. It is of the gravest concern to all sections of the House as also to the people outside that by this unbalanced situation in trade and commerce the very life of the community is going to be throttled while we are thinking of post-war plans. The present position of Bengal is one of desperation. Whatever industry and commerce is there in Bengal, Bengal has no share in it. Even the petty jobs in trade and commerce which are in other mens' hands are not to be given to the children of the soil. The biggest industrialists are the Europeans and they have got the monopoly of a large number of trades. The biggest of these is jute, and next come coal and tea. But after the 1914-18 war, the enormous wealth which the Marwari community have been able to earn during those critical years have been freely invested in business by them and the Europeans may be said to have ceased

to expand further in this province. In fact, excepting in one or two cases, like the Imperial Chemicals, etc., I do not think that the Europeans have invested money in any new venture within the last 20 years. But there has been expansion of industry on a large scale. But who are these industrialists? None of them belongs to this province. They are certainly not the people of the province. Whatever be our political views and whatever be our political quarrel, we must see that trade and commerce do not go out of our province. We have been compelled to give up trade and commerce. My friends opposite have not raised this question before the House. They have not mentioned anything about the pitiable condition of the people of the province so far as trade and commerce are concerned. Mere criticism will not do. Look at the list of questions tabled by the honourable members of this House. They do not evince any interest so far as the trade and commerce are concerned. So far as the trade and commerce are concerned, we Hindus and Muslims are equally disinterested. But in all these questions it has been asked whether communal ratio has or has not been violated. We are fighting over communal ratio only. The Muslim community had been deprived of all the services under the Executive up to the year 1938-39 and we were told by our European friends and their Hindu partners that efficiency was the only criterion for public appointments: so on and so forth. Now that false propaganda has to be forgotten. This unbalanced state of affairs should cease and it should be the concern of all,—friends or enemy of the Government. It should be the first duty of all to work side by side in order to remedy this unprecedented expansion of investment by non-Bengalee capitalists. The earning of this class of people between 1939 and 1945 will be, if anything, 10 times of their earning of 1914. These people have not only invaded the industrial centres; but they have also invaded the rural areas. I had occasion to go to some of the villages in the interior—villages where no one would have gone for fear of snakes and mosquitoes—and there also the Marwaris have captured the trade and commerce. Some of them have invested their money in landed properties. Indeed, nearly 400 or 500 acres of land in one stretch is being reclaimed by some of them in the suburbs of Calcutta. I am not well up in figures, but roughly I think that during the last five years this province has contributed in direct or indirect taxes to the tune of 500 crores to the Centre and the Marwaris have raised another 500 crores from this province. (Mr. SHRISH CHANDRA CHAKRAVERTI: What about Ispahani: better say non-Bengalees.) Well, Sir, I stand corrected and say, non-Bengalees—500 crores have been taken away by non-Bengalees and has gone into their pockets. They are not going away with the money and investing the same elsewhere; they are investing it here and are squeezing out the life of the people of this province.

Mr. SHRISH CHANDRA CHAKRAVERTI: It is the duty of the Government to prevent such monopolistic activities which tend to drive the general public out of breath.

Mr. HAMIDUL HUQ CHOWDHURY: Tell us that; demand it. It is the duty of the Opposition, it is their privilege to tell the Government that these improvements ought to be made. It is well-known that the value of cloth alone which is brought inside the province from outside is about Rs. 100 crores and the profit that is being earned by the wholesalers is about Rs. 10 crores. I would challenge anybody to get a pair of cloth without the help of police or the Civil Supply Inspector at controlled price. In almost all cases, the sellers demand a very high black market price. Now imagine, the total profit and for this additional black market price there is no sale-tax. Sir, this trade is the monopoly of the Marwaris. They take away nearly Rs. 40 to 50 crores of rupees every year under this head alone and they have other departments of commerce. Any one who is interested in it can go and look up the figures of contracts, enormous amount, which have been given to these people who have got nothing to do with the

Government party or Government supporters. Some of these people are in the Opposition. They are the beneficiaries of movement contracts or purchasing contracts. (Mr. HARIDAS MAJUMDAR: They give huge amount to the Government party.) Possibly it is true and some of them sit next to my friend opposite. Now, Sir, their method of business is very bad. I have always said that some of those businessmen are utterly corrupt. The atmosphere in which they breathe is utterly corrupt. Without being of any help to the country, their wealth is of no social advantage to this province; on the contrary it is doing a disservice to this province. As I said a moment ago, the atmosphere in which they thrive is an atmosphere of corruption.

In the Civil Supply Department, there are 36 carrier and storage contractors involving a sum of not less than Rs. 20 crores and this sum is distributed annually. Out of these 36 contractors, 30 are non-Bengali Hindus. Such is the case with boat contractors in which a sum of Rs. 5 crores is involved. Of these 5 crores, I know for certain that at least 4 crores have been given to the Marwaris or up-countrymen.

Turning to the other figures of the budget, I find that Rs. 35 lakhs have been shown against procurement of timber. In this connection, the boat makers Association approached me and told me that they have formed an Association called the Bengali Boatmakers Association. They informed me that contract for timber worth Rs. 35 lakhs have also been given to the Marwaris. Well, Sir, this is the position. This thing certainly requires looking after. Some of these people sit with my friends on the opposite.

Now, as regards some of the activities of the Agriculture Department it is gratifying to note that the department has been very active for the last two years. One of the improvements consists in changes in the administrative organisations which have succeeded in bringing new life in the working of the entire department. The department has taken in hand many schemes. In agriculture it is difficult to have the result very quickly, but I am sure that certain appreciable indications will certainly be there before the year is over. But I should like to sound a note of warning to the Hon'ble Minister in charge of Agriculture that concentration of their efforts round about Calcutta should cease. Bengal does not consist only of the suburbs or the districts round about Calcutta. Real Bengal lies far away. The Eastern Bengal requires to be looked after, because this is the area which is the most thickly populated. Therefore, the Agriculture Department should make these areas the centres of their experiments.

Now, Sir, as regards the Government's scheme for starting a large breeding station near Calcutta, I should say that it is certainly very welcome in principle. But I should say that Government should not have selected Kanchrapara, a place near about Calcutta, for this purpose. The real and ideal place should have been near the foot-hills of Chittagong and Garo Hills where high lands are available and where grazing fields can be acquired without affecting the chances of settlement. In Nadia and Jessore, there are places which should be filled up by people from areas which are very over-crowded, and so the health and sanitation of these areas should be improved. Government should have a comprehensive scheme for settling people in the sparsely-populated districts by transferring them from the crowded areas. As a matter of fact, Sir, I understand that the Government of India are very anxious that the Provincial Governments should take up some intensive schemes in certain areas from where they have got the largest number of recruits, because they are deducting part of the pay from each soldier and creating a fund for post-war settlement of these people who have gone to war. Therefore, I would advise Government to immediately acquire and utilise these areas which have become vacant on account of the war.

While on this topic, I may mention one point, namely, that the Government of Bengal should immediately take steps as part of their post-war

programme to have some legislation by which the indiscriminate setting up of industries should be stopped. The primary object of the industries is employment, and this can only be provided if the industries are evenly distributed throughout Bengal. As a matter of fact, the other day in 1944 at the last congress of the Russian Socialist Republic, Molotov in his speech said that concentration of large industries in certain centres of Russia had not unfortunately been fruitful of good results. Therefore, the Soviet Government has decided to go back upon its policy. They are now creating zones on the basis of districts which shall have their own industries, agricultural organisations and shall be made entirely self-supporting, for the main purpose of giving employment near their homes for the people living there, so that migration by large rural populations into industrial centres will be prevented and the development of slums in the midst of industrial centres will also be prevented. With these words, I commend the efforts the Ministry has made and I also support the lines on which they have started investigations in many directions. I hope their activities will be expanded without reference to the cost that may be involved.

Mr. LATAFAT HOSSAIN: Mr. Deputy President, Sir, while discussing about the budget estimates for 1945-46, my attention has been drawn to the detailed account No. "27-H—Civil and Sessions Courts", for the expenses in the departments and court in the Workmen's Compensation Act and the Payment of Wages Act, provision has been made for one Commissioner, 9 clerks and 5 servants to run this administration while the Commissioner is to decide issues under these Acts arising in various places throughout the Province and also the Commissioner is to decide such issues of the Province of Assam.

From time to time the Commissioner is also to go to Assam and other places in his official duty and parties are summoned to appear in his court or even they appear *suo moto* for preferring their own petitions and appeals for justice through the Commissioner.

The payment and the compensation sanctioned and passed by the Commissioner cannot be paid to the parties when they come to his office if the Commissioner himself is not present. This defers the payment to the aggrieved parties and also delays the administration of justice and decision of matters pending before him. While the income through this department is considerable and this department is to dispose all matters of much importance and public utility, this department is under-staffed as 9 men are quite inadequate to attend to these matters.

In the absence of the Commissioner, there should be provision of a Registrar who should permanently remain at Calcutta with powers vested in him for dealing with matters in the absence of the Commissioner. This will solve in liquidating the congestion at the said courts and speedy disposal of matters. Under the heading of expenditure in the Civil Supply Department, considerable amount is being spent out of the provincial exchequer, but it is regretted that although the Hon'ble Minister may try his level best to ease the situation, this could not be effected due to proper response from the staff below. Cloth situation in the province is more than scandalous and it has become a matter of immediate attention by the Government. Even if the provincial quota allotted by the Government of India be properly handled then there is reason to believe that the situation would not have been so. Complaints are also pouring in that the staff of the Civil Supply Department who were directly responsible for the proper distribution of the matters are hob-nobbing with the capitalists and importers of cloth in Calcutta and even in their presence cloths are going underground and passing to black market to the detriment of the interest of the bonafide consumers, specially the poorer section of the people. In mofussil only at the time of a special occasion in October last some cloths were sent and another such despatch followed but thereafter at the hue and cry raised by the importers and quota holders of cloth in Calcutta, Government have

changed their views and *modus operandi*—leaving the trade exclusively in the hands of big merchants of Calcutta, mostly Marwaries like our friend Mr. Jaipuria, absent today. Government's attempt to get the figures of quota from the Marwaries are being frustrated by them for which the Government is not in a position to take drastic steps against them although threats after threats are being hurled through press communique. For want of proper co-operation from these controllers of trade the Government's policy is being baffled. The Government ought to have been given free scope in the matter of distribution of cloth in default of which such a stage is a necessary corollary. The Marwaries have their fellow countrymen in this trade throughout the province and to fix them up alone and to monopolise the trade in their community throughout the province they are deferring it from time to time. The retailers at mofussil are not getting any advantage of getting supplies from these Marwaries who are refusing supply to them on the ground that their quotas have not yet been fixed yet. The Government's alternative policy of distributing quota from quota to sub-quota basis could not be given effect to as yet as fixation of different quotas has not yet been completed.

For the cremation of the dead bodies of both the communities of the province new cloth is required for wrapping the Hindu dead body and for coffin purposes of Muslim dead body, but it is regretted that to add insult to injury, even after the sad and melancholy death of one, the relatives find it difficult to secure the barest minimum quantity of cloth for this purpose, and even when they can procure this they are to purchase the same at 10 times of the fixed price.

To keep their trade in running condition and to serve their usual consumers and customers the mofussil dealers are compelled to purchase cloth from Calcutta from the black market, the open market being closed to them and with acceleration in the spirit of black-marketing the mofussil consumers are to pay dearly the barest quantity of cloth that they require to live in a civilised world.

The attention of the Government is drawn to all these facts and for the proper justification of the expenditure under this head, the Government should with a strong hand control the staff responsible for the proper administration and if that proves to be a failure then all expenditure under this head will be mis-spent of public money. In consideration of the present financial condition of the local bodies of the province, namely, municipalities and corporations, which are deficit in budget estimates for the next financial year, synchronising with the deficit budget of the province the Government should instead of taking measures for realisation of subventions and loans to the different local bodies during the coming financial year, should make proper and adequate arrangement for further subventions, contributions, grants and loans without interest to such local bodies which are most affected during the next financial year due to the present war conditions, particularly of the vulnerable areas.

The allotments in Medical and Charitable Funds should be more so that the province after this struggle for the last 6 years can somehow maintain the services to the public through its local bodies and the local bodies in its return can get proper and adequate help from the Government.

In conclusion, my only request to the Government will be to see that expenditure earmarked in this budget which make it a deficit one, are properly expended and public money be actually expended for public purposes and service.

Rai Bahadur BROJENDRA MOHAN MOITRA: Mr. Deputy President, Sir, I met a friend of mine after a long time and enquired of his health as usual. I expected the usual answer এক রকম but contrary to my expectation he gave an unusual answer. He replied দুই, তিন রকম I could not catch the import of his reply and consequently I was puzzled. Realising my bewildered state of mind he explained with sadness. There is no food to

take, no cloth to wear, no medicine for illness. His simple answer reflects the state of affairs now obtaining in Bengal. The picture of Bengal is the picture of destitution and disease. The past was bad. The present is worse and there is no prospect of immediate or remote recovery in the future although other sister provinces are piling up resources for post-war reconstruction.

The Finance Minister stated that in the year 1945-46 Bengal's actual revenue deficit would be 8 crores, but he could not tell us whether the Government of India could come to the aid of this war-worn province. I ask him whether it is Bengal's war. If so how? He has condemned the Niemeyer Award as being grossly unfair to Bengal. He entertains hopes that the Central Government will come to the aid of Bengal Government to a certain extent in rehabilitating her trading losses. This means a dole here and there. Does he expect that the Niemeyer Award whose very foundation is based on political and constitutional consideration will undergo drastic change? If he expects it, I must say he lives in a dream land.

It is true that the price of rice is towards downward tendency but prices of other necessary food stuffs are soaring up. Mustard oil cannot be had, fish has disappeared from the market, milk is not available. Consequently epidemic have broken out on account of malnutrition and want of food following on the wake of the famine of 1943. The country has faced the acute crisis of fuel.

May I ask the Finance Minister if he is aware that rice is selling in other parts of Bengal at a lower rate than what the Bengal Government are charging in the rationed area? Are they not purchasing rice at a lower rate? If so, why then the Bengal Government are selling rice at Rs. 16-4 per maund? I want to know if the Government are aware that Mr. R. K. Agarwala, Secretary, North Bengal Rice Mills Association, had announced sometimes back that he was willing to send 5 lakhs maunds of rice to any place of Bengal at Rs. 11 per maund. If so, have the Government taken any action on that offer?

The Finance Minister has said that the Government have been able to redeem their pledge: "There shall be no famine in Bengal in 1944". May I ask him to say honestly if the Government have been able to redeem the pledge? Rice is selling at Rs. 10 to 16-4 per maund. Mustard oil at Rs. 2 per seer and fish at 2-8 per seer. Are these prices within the reach of the average people of Bengal? Are not people dying on account of malnutrition and want of food? Are they not becoming the easy prey of epidemics?

May I remind the Finance Minister of one thing? When he chose to make holy combination with the League Ministry he announced that he would try to release the political prisoners who had been put behind the prison bar without any trial. I think he has not forgotten the announcement. May I know if he has been able to redeem the undertaking? I find that a catalogue of works which have been undertaken by the present Government has been presented to the public in order to show that they are not unmindful of their welfare. But the schemes have not yet materialised, they are eating up huge sums of money. When the Government will stop scheming?

Mr. KADER BAKSH: Mr. Deputy President, Sir, I had no desire to take any part in this debate, because my health will not permit me to do so; but as I have been participating in the general budget discussion for a very long time I feel I shall be failing in my duty if I do not at all say something on the budget.

I fully agree with my honourable friend Mr. Humayun Kabir who has characterised the budget as "a political budget" and not a civil budget.

Sir, I followed Mr. Hamidul Huq Chowdhury's speech with great interest. My learned friend has said that he is in the Textile Advisory

Committee both in the Centre and in the Province, but it is most unfortunate that there is still black marketing going on. He has admitted it, and he has admitted also that he has not been able to do anything to stop black marketing in spite of his being in the Advisory Committee. Sir, everybody says that there is black marketing going on in Bengal but Government do not say what steps have been taken to stop this black marketing. There is water and water every where but there is not a drop to drink. Who are at fault? Are they doing so at the instance of the Government? I do not say that they are doing so at the instigation of the Government. It is the favoured few who have been given charge of this cloth department, and it is they who have been black marketing. I must say that Government are making a farce in stopping black markets. Otherwise why they should fail to stop them? I had been in the market of Dinajpur, but I could not get a single sari for my daughter. But I have seen, and it is my personal experience that in my own district of Dinajpur there are people living in the interior whom we call *chashas* who get anything they want to purchase. Why it is so? Because these people can purchase at higher prices. But what is the Civil Supplies Department doing? What is the Enforcement Branch doing? There are so many Superintendents, Deputy Superintendents, Inspectors and Sub-Inspectors, and all sorts of paraphernalia, but what are they doing in my district? In my district they have not been able to do anything to check either the distribution or the sale of cloths or of anything, of sugar or of anything else. This is my personal experience and I take the fullest responsibility for the statement that I am making on the floor of the House. It is therefore no good keeping behind the bush at this moment. The time has come when we must come fully to the front and tell the Government in very lucid language that this is the situation prevailing in the country. Ministers must remember—it is a very painful duty with me to say so—but I must say that Hon'ble Ministers should remember that Calcutta is not the only place and that they must direct their attention to several other places where they are bound to look to and consider the situation and the position. I see that Mr. Hamidul Huq Chowdhury has praised the Hon'ble Minister of Agriculture very highly. I know he has appointed lots of officers bringing them from New Zealand, Honolulu and Kamaskatka, etc. I do not deny that the appointment of officers is necessary but will the improvement of irrigation come about by these things? These things are quite meaningless if not pushed on. In my district I have not yet been able to see anything having been done and there is no indication that the Agriculture Minister has anything to do for the good of the people of North Bengal. Sir, I know that Eastern Bengal has been treated much better than North Bengal; North Bengal is being neglected. When the Hon'ble Agriculture Minister visited Dinajpur I told him in the presence of his officers high and low how we were suffering from all sorts of scarcity. He knows full well that the people of North Bengal are strictly honest and are not going to yield to temptations. We have suffered so long, Sir, but there is a limit to the patience of the people. We have been neglected in the past and also at the present moment. Take, for instance, the question of irrigation. There are very few big projects for improving the condition in North Bengal. Then again, Dinajpur has been chosen as the most important centre for procuring paddy which Government have taken away by lakhs and lakhs of maunds depriving the people of the profits of their labours and we have given ungrudgingly and still are doing so; but vast areas in this district are lying unirrigated and uncultured for want of irrigation. Government may send the Chief Engineer, the Assistant Engineer, the Subdivisional Officer and others and yet others, but what have they done? If you have any schemes it is for small ones only and at low cost. I have heard from some gentlemen that Government are spending crores and crores of money on the grow more food campaign and things like that. But how will food grow? Simply because the Hon'ble Minister makes a provision in the budget, will food come to grow of itself? Proper steps for that purpose must be taken. But

nothing has been done in my district. I cannot speak for the other districts or for the whole province but in my district nothing has been done. Then, again, only the other day I purchased a pair of bullocks for Rs. 1,200, which is an almost prohibitive price. The cry is: grow more food, grow more food, but where is the money in the country wherewith to cultivate the land and to fit the same to bear fruit or food? Take another example. You have fixed a minimum price of the paddy, but the price is not brought at the door of the agriculturist. He is only getting 4-8 per maund. Where does the margin go? So Government has a defective system and no effort is being made to improve the system. I repeatedly brought it to the notice of the Civil Supply Department but with no result.

Then, Sir, with regard to cloth, if you pay higher price—black-marketing price, you will get it, otherwise not. If you pay higher price in Calcutta you will get it. What is the use of this farce of control? Government have failed to enforce the control price. Why do the Government say that they have control price of cloth when we do not get it? What is the use of this control order when it does not work? I am a supporter of Government; I am not here to criticise Government without reason. I have come here as the representative of lakhs of people and whenever Government is in the wrong in my opinion, I must frankly tell them about it. I warn the Government that they should be on their alert and see that the orders issued by them are carried out to the fullest and thereby justify their existence. Mr. Hamidul Huq Chowdhury said that the Hon'ble Mr. Suhrawardy is overworked and that the existing staff is not enough to deal with the work of this huge department. Well, if he is not in a position to carry on the work alone, he should get another man to carry on the work of the department properly. It is no use saying that "I have no time and I cannot control for want of staff" so on and so forth. He must speak frankly about the difficulties standing in the way of the proper working of the department.

Sir, I have taken some time of the House and although I had many things to submit I must resume my seat to enable the Hon'ble Finance Minister to reply.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I rise to give a short reply to one or two points raised by some of the honourable members regarding the Agriculture Department. The honourable leader of the European Group has enquired what has been done in respect of milk and potatoes. In respect of milk, we know there is a great shortage not only in Calcutta but throughout the province and that was largely due to last year's cattle epidemic and also to cattle slaughter in some places. In respect of Calcutta we started a detailed enquiry and survey was made and we have just received a preliminary report that Calcutta is very much short of milk. The price of milk now is 12 annas per seer. This price, however, is parity price as compared with the price of other articles. I do not believe in the efficacy of artificially bringing down the price and I do not think it is proper to do so. We must be sure of the supply and that is why our policy is to try to increase the supply and thereby reduce the price and not artificially bring down the price by which we might drive the milk supply out of Calcutta——

Mr. LALIT CHANDRA DAS: But the price of rice has gone down and it has a downward tendency——

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am concerned with milk and not rice.

Mr. LALIT CHANDRA DAS: Well, you are talking of parity of price.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: There was suggestion about bringing down the prices of articles in an artificial way. We are afraid that by artificially bringing down the price of milk, we would drive out all milk from the city of Calcutta and at the

same time the producer of the milk will be hard hit, most of whom are poor agriculturists who send milk to Calcutta denying the milk to their ailing wives or infants in arms. We want to increase the supply of milk. In order to ensure more supply we are affording all sorts of facilities to every one who wants to start a diary by bringing milch cows from other provinces. Recently we have got an offer from the Punjab Government to the effect that they would send 500 milch cows every month. We have accepted the offer. We have already sent a man to bring 400 milch cows. If we get 500 milch cows every month in this way, we hope we would soon be able to better our milk position here.

There is another proposal that the manufacture of articles like *chhana* should be stopped if we want to improve our milk position. But stopping the manufacture of *chhana* will not improve the milk position, because the *chhana* comes from distant mofussil places wherefrom it is not possible to bring fresh milk. On the other hand we are trying to stop the manufacture of ice-cream and dry milk.

About the shortage of potato, I may say that about 8 to 9 lakhs maunds of potatoes used to come from Burma which has now stopped. Over and above this, last year there was a ban on the neighbouring provinces to export potatoes to Bengal. After long correspondence we were able to have the supply in driblets. We get from Assam 30 lakhs maunds, from Madras 49,500 maunds, from the Punjab 75,000 maunds but Bihar could not give any though they promised to send us 50,000 maunds of potatoes. So out of 12 to 14 lakhs of maunds, Bengal had only 2½ lakhs of maunds and naturally there was potato shortage. This year we have been making constant correspondence on this subject. We had a conference at Patna and we approached the other Provincial Governments to fix our quota of potato. We have been given hopes that they will give us larger quota this year. We approached the Government of India last year and propose to do so this year also. Indeed, we have reason to hope that the position will be better but not very much better in respect of potato. This is with regard to potato——

Mr. LALIT CHANDRA DAS: What arrangements have been made for growing more potatoes in Bengal?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Last year we had a programme of increasing our area under potato by 10,000 acres, but that failed because we could not get potato seeds. Those provinces which promised to give us seeds did not give us any seeds. So local seeds were very extensively used, and whatever seeds we could bring from Shillong and Darjeeling we utilised to the full, and in spite of very short supply from Bihar and Nainital we hope that the total output will not be less than last year.

Sir, I do not think I need dilate with other matters very much; but there is one thing about which I should say something. Honourable members have criticised about the staff in the Agriculture Department. I do not know, Sir, if without any staff things can be done by magic wands. If honourable members can do that I will be only too glad to hand over my responsibility to them. There are other members who have complained that men have been imported from other provinces and other countries. I think, Sir, that when there is shortage of staff we must fall back upon other countries who are far advanced in respect of agriculture, and so we must take their help; if I had not done so I would not have done my duty. It was absolutely necessary and I did it——

Mr. LALIT CHANDRA DAS: What arrangements have you made for the training of officers?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We have taken sufficient steps in that direction also. The Agricultural College at Dacca is going to be expanded so that double the number of

students may be annually trained in this college. A Demonstrators' school has been started at Daulatpur where 100 demonstrators are being trained and every one of them is being given a stipend of Rs. 25 per month so that the poorer people may join the school. We are expanding the veterinary college also and the number of stipends in this college has been increased from 30 to 60 and the value of stipends has been more than doubled. The college is going to be expanded practically to double of its present size. Thus, for training of officers we are offering every sort of facility, and we are expanding our colleges and schools.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, in replying to the general discussion of the budget I would at the outset refer to three speeches: those of my honourable friend the Leader of the Opposition, my honourable friend Mr. Lalit Chandra Das and my honourable friend Mr. Humayun Kabir. Their speeches were very interesting to me, for as I closely followed them I found that there was a constant struggle between their fundamental patriotism and sense of fair play on the one hand and their immediate duty of playing the Opposition role on the other. Sir, I must say, judging by the impression that I have of these speeches, that I ought to feel on the whole grateful to them.

Sir, the time at my disposal now is very short, and I have to run through a number of items. My honourable friend Mr. Purssell, as also one or two other honourable members, made enquiries about the enormous losses in the Civil Supplies Department. I may explain, Sir, that the losses are divided into three items, (1) subsidised sales, (2) devaluation of stocks, and (3) other losses including losses in transit, handling and storage including deterioration. I will give a few figures. On account of the sale of subsidised food-grains the loss in 1943-44 was 550 lakhs of rupees; in 1944-45, as estimated at the time of preparation of the budget for next year it would be 2 crores; and I have estimated that the loss on this account in the year 1945-46 will be 227 lakhs. Under the second item, "devaluation of stocks", the loss in 1943-44 was 154 lakhs of rupees; in 1944-45, so far as it could be estimated at the time when the next year's budget was prepared it would be 113 lakhs. We have not taken into account any loss on account of the devaluation of stock in the coming year; the reason for this being, I am told, that the department does not expect that there will be any substantial loss on this account in 1945-46. Under item (3), "other losses", which includes the deterioration of stock, we incurred a loss of 235 lakhs in 1943-44 and 437 lakhs in 1944-45; and we have kept the figure down to 326 lakhs for 1945-46. This third item includes, as I have stated, the loss in transit, handling and storage. I believe some honourable members wanted specific figures for deterioration of foodstuffs. These figures are not readily available, but as foodstuffs have a habit of deteriorating a part of the loss under item (3) represents loss due to deterioration and decomposition. I am not an expert in the system of accounting; but I have seen it worked out and I could have spoken at greater length on this subject had the time vouchsafed to me not been so little. The entire loss under item (3) in the three years is estimated to be 6 or 7 per cent. of the transactions. I can quite understand the honourable members' anxiety on this score of trading losses in the Civil Supplies Department; but they will remember that in January last, that is, only a few weeks ago, the Government of India offered to bear a portion of the trading losses. They said that they would be like partners in a business. Honourable members would, therefore, realise that the Government of India must have satisfied themselves that the management of the Civil Supplies Department here was not too bad, not too inefficient, in giving this *carte-blanche*, i.e., practically a blank cheque; because by agreeing to bear a portion of the losses, nearly 50 per cent., they were committing themselves to figures which are for the present indeterminate and indeterminable.

Sir, my honourable friend Mr. Humayun Kabir has called my budget a political budget for the simple reason that I emphasised that rehabilitation

is the primary aim of the budget for 1945-46. It is a rehabilitation budget. Those who call it a bankruptcy budget betray considerable mental deficiency. I have never said that the province of Bengal is on the verge of bankruptcy. Last year the Honourable Sir Jeremy Raisman replying to the budget debate in the Central Assembly specifically pointed out that there was no reason to think that the province of Bengal was heading towards bankruptcy. Well, Sir, he spoke as a financier—as a Finance Department man—and from his point of view, if I may say so, he was correct, and I also hope that there is no cause for undue alarm. Deficits are not to be regarded as thoroughly bad in themselves and may be even desirable, as in the present case, for the stabilisation of economic life. Our claims to assistance from the Centre however are genuine. Our claims are based on the fact that on account of the war and famine, which was very largely due to war conditions, Bengal has incurred very large additional expenditure and thereby was placed in a position far inferior to that of the other provinces. The position is this: while some of the other provinces—practically all the other provinces—have profitted financially by the war, Bengal by the peculiar position in which she had been placed, has been terribly hit——

Mr. HUMAYUN KABIR: What about Assam?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Assam was not terribly hit, and although it may seem odd, Assam has not suffered nearly so much as Bengal—and I think for understandable reasons. We have undertaken heavy expenditure on rehabilitation and I want to tell the honourable members that expenses provided for social services, that is for our nation-building activities in the budget for 1944-45 are between 2½ and three times that of 1938. I have calculated the expenditure on nation-building activities per head of population, because that is the real test in the nation-building departments—Education, Public Health, etc.

Sir, our agricultural budget has expanded considerably. The agricultural budget previously used to be ridiculous. But during the last two or three years we have undertaken heavy expenditure. These are not symptoms of bankruptcy. Besides, we have fortified our revenue position very considerably: so that the credit of Bengal today is very much better than it was, say, in 1942-43. These probably are things that were lost sight of by some honourable members in studying the budget. It is true that we have a large debt and that the Centre owes it to us to compensate us for some of the losses and some of the expenditure for which we certainly were not responsible.

Then, Sir, I raised the question in my budget speech of the financial settlement of revenues between the Centre and the Province and if I had the time I would have explained in detail why I consider the Niemeyer Award to be grossly unfair to Bengal. Sir, one of the reasons is that Sir Otto Niemeyer failed to take into account the population factor. For, after all, it is a fundamental principle of federal finance that every component unit of the federation should have as much as is necessary to maintain a certain standard in social services to the people; and the population factor is therefore an important factor.

Then, Sir, honourable members have complained about the small irrigation projects being executed by the local bodies. I am not an engineer, nor am I even the Minister in charge of the Irrigation Department. But it was felt that the small irrigation schemes would not conflict with the general irrigation plan of the province. They would be under the supervision of the Irrigation Department. One of the great defects in Bengal was that there was no proper contour survey of the province; but that defect like many other defects is being remedied.

The last point that I wish to touch is the point about corruption. It is quite possible that among the vast number of temporary staff that Government are now employing and over whom Government control is naturally

slight, there may be some amount of corruption. But is there not corruption among the general public? Is there not a general demoralisation everywhere due to war, due to inflation, due to excess surplus purchasing power on the one hand and the rise in prices of commodities on the other? Some honourable members will remember the terrible scandal about the distribution of quinine. Surely, Government was not responsible for the black-marketing of quinine. Men of the medical profession were responsible for this and some reputed names were mentioned in the Press. Sir, it is a pity that public morality has deteriorated. Honourable members spoke of the famine as a man-made famine. In September 1943 when I had the honour of presenting my first budget I myself referred to that famine as partly man-made. Black markets were not being run by Government, but by our own people. Various causes no doubt contributed to the famine; but the extraordinary profit motive generated by war conditions was by no means the least important. I hope when the honourable members go back to their constituencies they will instruct the people in the matter of honesty and fair deal. They should, above all, instruct them by setting good examples in civic sense, probity and public duty.

Mr. DEPUTY PRESIDENT: The general discussion of the budget is closed.

Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944.

The Hon'ble Mr. TARAK NATH MUKHERJEA: Sir, I beg to lay the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, before the Council.

Presentation of Supplementary Estimates, 1944-45.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, Sir, under section 81 of the Government of India Act, I beg to present to the Bengal Legislative Council, the Supplementary Statement of expenditure for the current year.

The total amount included in this Statement is close upon 66 crores. Out of this a sum of 17 crores is due to larger expenditure on revenue account and the balance (49 crores) is due to larger outlay on capital transactions comprising the procurement of food-grains and the construction of boats. In the budget for the current year it was assumed that sale proceed of food-grains and other commodities like standard cloth would exceed the outlay on fresh procurement by 17 crores of rupees. Owing to subsequent modifications in the targets for procurement it is estimated that outlay on procurement will be some 29 crores higher than the sale proceeds of stocks. This accounts for an excess of 46 crores over the original estimate. The balance of the supplementary estimate under the capital head "85A" is due to the programme of boat construction which it was found necessary to undertake after the budget had been passed. The immediate construction of a fleet of boats was felt to be urgently required for replacing the country boats lost in previous years and for supplementing the existing means of transport for the movement of supplies of all kinds.

Let me now turn to the Revenue Section of the Supplementary Estimates. The House will recall that while presenting the budget for 1945-46 the other day, I explained that revenue expenditure in the current year was expected to be some 17 crores in excess of the original estimate. It will appear from the Supplementary Estimates now in the hands of honourable members that this excess is spread over as many as thirty major heads of account. The largest excess amounting to nearly 10 crores occurs under "63—Extraordinary charges". Out of this 8½ crores is due to larger provision for loss on the sale of subsidised food. The original estimate provided

for a loss of 5 crores. This has gone up in the Revised to 13½ crores including nearly 6 crores on account of transactions in the preceding year which could not be adjusted in the accounts for that year. Other items which contribute to the increased expenditure under "63—Extraordinary charges" are the expansion and reorganisation of the Department of Civil Supplies in all its branches, the construction of storage godowns and the acquisition of lorries for the transport of foodgrains.

The estimate of additional expenditure under "54—Famine" stands at about a crore and 70 lakhs. The increase is due partly to the fact that special measures for the medical relief of sick destitutes had to be continued throughout the year instead of for six months as originally anticipated; and partly to various additional measures of gratuitous relief for which no provision had been included in the budget——

Mr. HARIDAS MAJUMDAR: On a point of order, Sir. Is the Hon'ble Minister reading from a printed speech of the Lower House? If so, we have not been supplied with any copies.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, both in the Lower House and in this House it has always been customary for the Finance Minister to present his Supplementary Budget and read out from manuscript.

Mr. HUMAYUN KABIR: Is it the same speech as in the other place?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Substantially the same.

Sir, as I was saying, these comprise such items as the opening of cheap grain shops in distressed areas and free distribution of cloth and blankets to indigent persons.

Under "Public Health" the total supplementary demand comes up to a crore and 16 lakhs. Out of this, 73 lakhs is accounted for by the purchase of mepacrine tablets for free distribution and for sale to the public. The balance is due to continuance throughout the year of the various measures for combating epidemics of malaria, small-pox and cholera.

In the agriculture budget, the increase is from 1 crore 30 lakhs in the original estimate to 2 crores 22 lakhs in the revised. This is due, in the first place, to larger outlay on "Grow More Food" schemes; and, in the next, to certain schemes of new expenditure such as compilation of crop statistics by a field-to-field enumeration (23 lakhs), sample survey of jute, aus and aman paddy (4½ lakhs), purchase of stud bulls (¾ lakh), multiplication of goats (1½ lakhs) and reorganisation of the Dacca Dairy Farm (½ lakh).

An extra demand for 60 lakhs under "37—Education" is necessitated mainly by a post-budget decision to grant dearness allowance to teachers in non-Government primary and secondary schools including madrassahs who have been hard hit by the high cost of living. Under "43—Industries" the supplementary estimate is of the order of 41 lakhs. This is required for giving effect to a scheme of relief to small artisans and craftsmen by the distribution of raw materials, tools and implements on suitable terms.

I need not trouble honourable members with a recital of the reasons for the demands under the remaining heads which are comparatively small. The reasons for all these items of additional expenditure will be found in the explanatory memorandum under the relevant heads of account.

The Bengal Finance Bill, as passed by the Assembly.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, I beg to give notice that during the current session of the Bengal Legislative Council I shall move that the Bengal Finance Bill, as passed by the Assembly, be taken into consideration and that the said Bill as settled in the Council be passed.

Mr. DEPUTY PRESIDENT: Before I adjourn the House, I may inform honourable members that the last date for putting in amendments to this Bill just given notice of is 5th of March next. I now adjourn the Council till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 2nd March, 1945.

Members Absent.

The following members were absent from the meeting held on the 1st March, 1945:—

(1) Khan Bahadur Nāziruddin Ahmad.
(2) Rai Bahadur K. C. Banerjee.
(3) Mr. K. K. Dutta.
(4) Mr. M. R. Jaipuria.
(5) Maulana Muhammad Akrum Khan.
(6) Mr. N. N. Moholanabish.
(7) Khan Bahadur M. A. Momin.
(8) Mr. N. N. Mookerjee.
(9) Dr. K. S. Ray.
(10) Rai Bahadur R. B. Roy.
(11) Mr. S. N. Sanyal.
(12) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-2762A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 9.

THE COUNCIL met in the Legislative Chamber of the Legislative building, Calcutta, on Friday, the 2nd March, 1945, at 2-15 p.m., being the ninth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Point of Information.

Rai Bahadur BROJENDRA MOHAN MOITRA: On a point of information, Sir. May I know the fate of my Bill—the Advocates Robes Bill?

Mr. DEPUTY PRESIDENT: It is being dealt with in the Department. Order, order. Secretary.

The SECRETARY (Dr. S. K. D. Gupta): Sir, the following message has been received from the Bengal Legislative Assembly :—

"The Bengal Public Gambling (Amendment) Bill, 1944, was passed by the Bengal Legislative Assembly at its meeting held on December 15, 1944, with the following amendments to which the concurrence of the Council is asked :—

Amendments.

Clause 3A.—After clause 3, the following new clause has been inserted, namely :—

"Substitution of new section for section 3.

3A. For section 3 of the said Act the following section shall be substituted, namely :—

Penalty for owning or keeping, or having charge of common gaming-house.

'3. Whoever, being the owner or occupier, or having the use of any house, room, tent, enclosure, vehicle, vessel, space or place opens, keeps or uses the same as common gaming-house ;

and whoever, being the owner or occupier of any house, room, tent, enclosure, vehicle, vessel, space or place knowingly or wilfully permits the same to be opened, occupied, used or kept by any other person as a common gaming-house;

and whoever has the care or management of, or in any manner assists in conducting, the business of any house, room, tent, enclosure, vehicle, vessel, space or place opened, occupied, used or kept for the purpose aforesaid;

and whoever advances or furnishes money for the purpose of gaming with persons frequenting such house, room, tent enclosure, vehicle, vessel, space or place;
shall be punished—

(*a*) for the first offence with imprisonment of either description which may extend to three months or with fine which may extend to five hundred rupees;

(*b*) for a second offence with imprisonment which may extend to six months and, in the absence of special reasons to the contrary

to be recorded in the judgment of the Court, shall not be less than seven days either with or without fine which may extend to one thousand rupees; and

(c) for a third offence or a subsequent offence with imprisonment which may extend to six months and, in the absence of special reasons to the contrary to be recorded in the judgment of the Court, shall not be less than one month together with fine which may extend to one thousand rupees.'

Clause 5.—For clause 5, the following clause has been substituted, namely:—

5. In the first and second paragraphs of section 11 of the said Act, the words 'situated within the limits aforesaid' shall be omitted.

SYED NAUSHERALI, *Speaker,*
Bengal Legislative Assembly."

The Usurious Loans (Bengal Amendment) Bill, 1940.

Mr. NUR AHMED: Sir, with your permission I beg to present the report of the Select Committee on the Usurious Loans (Bengal Amendment) Bill, 1940.

Mr. NUR AHMED: Sir, I beg to move for an extension of time for presenting the report of the Select Committee appointed to consider the Eastern Bengal and Assam Disorderly House (Amendment) Bill and request that the time be extended up to the 31st August, 1945.

Mr. DEPUTY PRESIDENT: The question before the House is: that the time for presentation of the Select Committee report of the Eastern Bengal and Assam Disorderly House (Amendment) Bill be extended up to the 31st August, 1945.

(The motion was agreed to.)

The Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940.

Mr. NUR AHMED: Sir, I beg to move that the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940 as reported by the Select Committee, be taken into consideration.

Sir, this Bill contains only two clauses and looks like a small Bill, but it seeks to make very momentous and revolutionary changes in the law of the land. Sir, suppression of brothels has become an acute question in Bengal under the war conditions.

Sir, when this Bill was introduced by me for the first time in 1937 I was simply laughed at, but by the grace of God time has now changed when the whole country has become alive to the importance of this Bill, and I am very thankful to all the people of Bengal, especially to the members of the Women's Organisation and also to the Hon'ble Ministers for encouraging me to pilot this Bill. Sir, this Bill makes a change in the definition of brothel. Sir, when the original Bill was passed in 1933 it appeared from the Preamble of the Bill that the whole purpose of that Bill was to suppress immoral traffic in girls and women. That was the purpose of the Act, and though this Act was passed in 1933, owing to the definition of brothel as given in this Act it has remained practically a dead letter in Bengal during last ten or eleven years. The present definition of brothel runs as follows:

Brothel means any house, part of a house, room or place in which two or more females carry on prostitution for the gain of any other person or in which any girl under the age of 18 years is kept with intent that she

shall at any age be employed or used for any immoral purpose. Now, in the amending Bill it is proposed that the words "for the gain of any other person" will be omitted.

Now, it is said that Madras has abolished the brothel system. So also Bombay. Let us now compare the definition of these two Acts and other Acts and see how far the definition will be improved as compared with those Acts of Madras, Bombay and also the Punjab.

Sir, Section 4(*a*) of Madras Immoral Traffic Act of 1930 runs as follows:

> "Brothel" means any house, room or place which the occupier or person in charge thereof habitually allows to be used by any other person for the purpose of prostitution.

Then, let me refer to the definition of Bombay Prevention of Prostitution Act, 1923. Section 2(*1*) of this Act runs as follows:—

> "Brothel" means any house or room or place or any part thereof occupied or let or intended to be occupied or let as a single tenement which is habitually used by more than one person for the purpose of prostitution.

Then, let me compare the definition as in the Punjab Act, which is more forward in this respect. Section 3, sub-clause (*b*) of the Punjab Suppression of Immoral Traffic Act, 1935, runs as follows:—

> "Brothel" means any place, kept or used for prostitution, but when one woman takes a man or men to her own room for illicit intercourse she shall not be deemed to be keeping or using a brothel.

A similar definition is given in the North-Western Frontier Act which is the latest Act on the subject. Our amended definition will stand on exactly the same footing, on similar lines as the Punjab Act. It may be objected that by the definition of the word, "brothel" as amended by this bill the brothels "runs" by one woman, etc., "shall remain. But it will not be so if we compare the definition given in the Bombay Act or Madras Act or the Punjab Act. We find that in Bengal the definition will be more advanced and more effective than in those of the two other Provinces. In Madras the word used is "habitually" allows to be used or occupied for prostitution. "Allows" is the word that leaves a loophole, and the words "if a woman owns a house and carries on prostitution" may not come under the definition of the Madras Act. There is that loophole. Similar is the loophole in the Bombay Prevention of Prostitution Act. The Punjab Act has clearly left out the case of "one woman". The Bengal legislation by sections 4 and 6 of further Suppresses Brothels. I refer in this connection to section 4 of the Bengal Suppression of Immoral Traffic Act, 1933. Section 4 says: "whoever keeps or manages or assists in keeping or managing a brothel or a house, lets or keeps on hire a room, tenement, land, etc., to be used as a brothel" and prohibits prostitution and makes prostitution illegal by use of the words "owning or keeping or letting a house to be used as a brothel." By the application of this section the evil will be practically reduced to such an extent that it will amount to a reduction of about 70 to 80 per cent. I may say Sir, that very few prostitutes can afford to own a house.

Unless she owns any room or place or house on her own account for carrying on prostitution she cannot carry on prostitution in a house which cannot be let out for that purpose. This is the change that is going to be made in this amending Bill. Then the most important thing is that the word "brothel" is introduced in the preamble. As I have already stated the original Bill was for the purpose of the abolition of the immoral traffic. By this amendment the scope of the Bill has been widened. There is the question of giving power to the local bodies of Bengal to regulate and suppress brothels. The Select Committee has made important changes in the Bill. The original clause has been omitted and in its place a new clause

—Clause 2A has been substituted. My original purpose was to give power to the Calcutta Corporation and the local authorities to take initiative in the matter of the removal of discontinuance of the brothels. As section 6 of the Bengal Suppression of Immoral Traffic Act, 1933, says "Commissioner of Police in the case of the Calcutta Corporation and the Superintendent of Police in the case of mufassal area may take action for discontinuance of any brothel or disorderly house or any place, room, etc., where prostitution is carried on." Section 6 is wider in this respect. It does not only include brothel. It includes prostitution and disorderly house when that house causes annoyance to the people of the vicinity—if it happens to be in the vicinity of any educational institution, boarding house or public place of worship or a place of recreation and there is a further clause (c) to section 3 which runs as follows:—that if any such disorderly brothel or place or room occurs in the main thoroughfare notified by the provincial Government on the recommendation in the case of the city of Calcutta the Calcutta Corporation and in the case of Mufassal the municipal chairman by a resolution passed by the municipal commissioners. There was one sad omission. The word used was "thoroughfare" in the sub-clause. The words "or any area" have been added after word "thoroughfare". This will make great change in the scope of the sub-clause.

Formerly, unless these brothels happened to be in the main thoroughfare, neither the Commissioner of Police in Calcutta nor the Superintendent of Police in any other municipal area could take any action. This loophole is remedied by the addition of the words "Any area". So my original purpose will be fulfilled to some extent. This section gives the initiative to the Calcutta Corporation to ask the Provincial Government to notify any thoroughfare for any area and then action would have to be taken by the authorities mentioned above. This is the reason why I have not pressed for clause 3 as it originally stood in my amending Bill. With these few remarks about the changes made by the Select Committee in main provisions let me once more thank all the members of the House who have given me this opportunity to move this motion and pilot this Bill. I thought very seriously over this question. War has prominently shown that whenever war has broken out prostitution increases. Sir, I was ridiculed when I brought in this Bill on the ground that it was absured to suppress this necessary evil. With all respect to my learned friend Khan Bahadur Naziruddin Ahmad, who once taunted me, I may say that I am now strengthened by the opinion of the whole world. Abolition of brothels has been very successful in Gibraltar. There the percentage of persons attacked with venereal diseases before the introduction of abolition was 160 which came down to 57 p.c. after the abolition of brothels. Thoughtful persons, who investigated into this matter to find out ways and means, have come to the conclusion that abolition is the only remedy to iradicate venereal diseases. Latest figures show that more persons suffer from this fell disease in India than in Great Britain.

Sir, after the war in 1918 about 3 lakhs 16 thousand British soldiers were attacked with the disease and the percentage of the attack increased even after the demobilisation in India. Especially in Bengal at the present time this evil is increasing alarmingly. Sir, in Bengal, according to Dr. Suren Ghosh there were 10,000 brothels in Calcutta in 1921. It increased to 22,000 in 1938, and now it has increased to 45,000. Sir, in reply to a question put by me the Hon'ble Home Minister said that the number of brothels increased during the war. Speaking from my personal experience of Chittagong I can say that the famine and hunger have led thousands of girls and women of poorer class to take to prostitution as a means of livelihood. I think that in other districts also prostitution in a large scale has resulted as an aftermath of the famine. Sir, at this time it is very necessary that this evil should be suppressed, and not only the Government but the people should come forward with proposals to suppress this evil. Sir, I am conscious of the fact that there are some voluntary

organisations which are working wholeheartedly for the rescue of their unfortunate sisters. I have already said about the necessity of the abolition and suppression of prostitution, and I have already shown that the abolition is the only way of reducing or suppressing this commercialised vice. Sir, I want to give one example of Madras. What happened after the change of definition of brothel in Madras? In 1932, Madras Act was amended, and as a result of that it was found that all brothels with a few exceptions have become illegal. In Madras, brothels were practically abolished, and it is found that about 63 per cent. of the prostitutes have left the city of Madras, and about 20 per cent. have become clandestine prostitutes. There is an opinion even in this House and abroad that if brothels are abolished or suppressed they will go underground and pollute the whole society. But, Sir, from the example of Madras it will appear that there were only 20 per cent. of clandestine prostitutes and the rest was rehabilitated by voluntary organisations. Sir, I am conscious of the fact that prostitution as the ancients said is the oldest profession and from Roman and Babylonian history also it appears that it was widely prevalent in those countries, and when a victorious warrior returned to his country the victorious army used to bring women and girls from the vanquished countries and offered them to them and to their soldiers. Sir, it stands to the great credit of England that it abolished licensed houses in 1886 but in France it was not so abolished and the result is that the percentage of venereal disease is greater there than in England. One most important thing which we find during this war is that the military authorities themselves are against this brothel system; wherever there is a brothel they ask for the suppression of the same. From the report of the League of Nations it appears that about 3·6 per cent. of the civil population of the world was affected by this evil of venereal disease. It is commoner in men than in women in the proportion of 3 to 1. Then the question may be asked as to why these brothels should be abolished. Because it is found by experience and investigation that the main source of the infection of this venereal disease is prostitution. Clean brothels do not exist. But what is the remedy? The remedy is the prevention of the spread of venereal disease by the closing of such brothel houses and suppression of soliciting and touting. Sir, I need not take the time of the House further. I am thankful to all the members of this House and the Government for giving me this opportunity of moving this very important Bill regarding a very important social matter which is very vital to the Bengali nation. With these words, I commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved: that the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940, as reported by the Select Committee, be taken into consideration.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, the honourable mover of the motion seems to have been actuated more by idealism than by practical realism. In should say at once that if all men in the world were of the type of my honourable friend, the evil would have died a natural death. But as human beings we are, there is a propensity among mankind which carry them to brothels and other evil places. In fact brothels and prostitutes act as clearing houses for the immoral sexual propensities of mankind. If you suppress these immoral houses, the immoral traffic will not be abolished but they will be given underground and will produce mischievous repurcussions. My honourable friend has said that on a previous occasion I taunted him with the remark that it was impossible to suppress the brothels. Well, Sir, I said something to that effect but it was not with a view to taunting him. So far as my honourable friend is concerned I have the highest respect and admiration for him. But the view I expressed on that occasion was that it is impossible absolutely to suppress prostitution. I shall quote the honourable member himself as an authority for my proposition. In the Statement of the Objects and Reasons of the Bill he chose

to say that the prostitution should be "regulated in the interest of the public good" and that was a "necessary evil". I fail to see now, in the passage and conversion of the raw material of the original Bill into the finished product of the revised Bill, my honourable friend has completely changed his opinion. If in the year 1940 he was of opinion that prostitution was a "necessary evil" and should be regulated in the interest of "public good"—if he was of opinion that prostitution was a necessary evil and it should be regulated, I think he was right. But in the interval probably my honourable friend has been reading some theoretical literature on the subject. So far as the main Act is concerned the powers given are ample. The Act provides that the authorities can declare a public thoroughfare to be within the meaning of the Act with the necessary consequence that brothels and prostitute houses must be removed from those thoroughfares. The Act has been in operation for some time and notices have already been served in many places. The effect of the drive would be that these prostitutes will have to leave these main thoroughfares and will have to go to small lanes and quieter localities. The amendment seeks to——

Mr. DEPUTY PRESIDENT: Are you speaking on the amendment or on the consideration motion?

Khan Bahadur NAZIRUDDIN AHMAD: On the consideration motion. As I was saying the effect of the amendment would be to extend the activities of the authorities to lanes and small places. If this Bill is accepted and passed the effect would be that these unfortunate creatures would be driven from main thoroughfares and also from small lanes and small localities. They will have to be accommodated and located somewhere. My honourable friend was realistic when he said in 1940 that prostitution should be regulated. I ask my friend what arrangements have been made to regulate the profession of these unfortunate beings? It is all very well to decry them, and I will not be second to anyone to decry them, but where will they go to? The honourable mover has just now told us that hundreds and thousands have taken to prostitution through sheer hunger in Chittagong. I submit that they are objects of pity and compassion. I may say, Sir, that great practical statesmen and practical philosophers have not regarded prostitution in the light of the provisions of this Bill. I submit some isolated localities should be selected to house them; some provision must be made to regulate them. This aspect of the matter should be looked into and adequately provided for. The suppression or the attempted suppression of prostitution would not succeed. I was told of a story which I may narrate here. Very recently a Tommy went to a white prostitute. The soldier was told that her fee would be Rs. 15. So he came out and went to a black woman fully believing that her fee would be more reasonable. Some time after, he casually asked her and was told that her fee was Rs. 20. The Tommy was annoyed and asked her why she should have charged more than the white woman. He was told that this was black market price; and when in these days he had come to the black market, he must pay black market prices. If you suppress a poisonous sore, it will lead to irruptions in other places. If you suppress prostitution, it will seek entry into the black market. The Civil Supplies Department has by a similar process successfully established and perpetuated this black market prices. We should save the society from this evil consequence. With these few words, I oppose the motion for consideration.

Mr. DEPUTY PRESIDENT: The question before the House is: That the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940, as reported by the Select Committee, be taken into consideration.

(The motion was agreed to.)

Clause 1.

Mr. DEPUTY PRESIDENT: Clause 1 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMED: Sir, I beg to move that in clause 1 of the Bill, for the figure "1944", the figure "1945" be substituted

Mr. DEPUTY PRESIDENT: Amendment moved: That in clause 1 of the Bill, for the figure "1944", the figure "1945" be substituted.

Mr. NUR AHMED: Sir, I have no objection to this consequential amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that in clause 1 of the Bill, for the figure "1944", the figure "1945", be substituted.
(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: The question before the House is that Clause 1 as amended stand part of the Bill.
(The motion was agreed to.)

Clause 1A.

Mr. DEPUTY PRESIDENT: The question before the House is that Clause 1A stand part of the Bill.
(The motion was agreed to.)

Clause 1B.

Mr. DEPUTY PRESIDENT: Clause 1B stand part of the Bill.

Khan Bahodur NAZIRUDDIN AHMED: Sir, I beg to move that in clause 1B of the Bill in line 1, after the word "Act", a comma "," be inserted.
Sir, this is a formal amendment, and I believe that it will be in accordance with the rules of grammar.

Mr. DEPUTY PRESIDENT: Amendment moved that in clause 1B of the Bill in line 1, after the word "Act", a comma "," be inserted.

Mr. NUR AHMAD: Sir, I have no objection.

Mr. DEPUTY PRESIDENT: The question before the House is that in clause 1B of the Bill in line 1, after the word "Act", a comma "," be inserted.
(The amendment was agreed to.)

* * * * * * * *

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I beg to move that in clause 1B of the Bill, after the words "suppression of" in line 2, a comma "," be inserted.
Sir, this is also of a formal character, and I think it is necessary.

Mr. DEPUTY PRESIDENT: Amendment moved that in clause 1B of the Bill, after the words "suppression of" in line 2, a comma "," be inserted.

Mr. DEPUTY PRESIDENT: The question before the House is that in clause 1B of the Bill, after the words "suppression of" in line 2, a comma "," be inserted.
(The amendment was negatived.)

Mr. DEPUTY PRESIDENT: The question before the House is that clause 1B, as amended, stand part of the Bill.
(The motion was agreed to.)

Clause 2.

Mr. DEPUTY PRESIDENT: Clause 2 stand part of the Bill.

The question before the House is that clause 2 stand part of the Bill.
(The motion was agreed to.)

Clause 2A.

Mr. DEPUTY PRESIDENT: Clause 2A stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I beg to move that in lause 2A of the Bill in paragraph (*a*), after the words "this behalf", a comma "," be inserted.

Sir, I should think that this would improve the text.

Mr. DEPUTY PRESIDENT: Amendment moved that in clause 2A of the Bill in paragraph (*a*), after the words "this behalf", a comma "," be inserted.

Mr. NUR AHMED: Sir, I beg to oppose the amendment. There is no necessity to insert this ornamental comma. As the clause now stands in the draft bill, it is all right and can be easily understood without the aid of the comma.

Khan Bahadur NAZIRUDDIN AHMAD: But the principle of this comma was accepted in the case of the first amendment.

(The amendment was put and negatived.)

Khan Bahadur NAZIRUDDIN AHMAD: I beg to move that in clause 2A of the Bill in paragraph (*b*), after the word "thoroughfare" a comma be inserted.

Mr. DEPUTY PRESIDENT: Amendment moved: that in clause 2A of the Bill, in paragraph (*b*), after the word "thoroughfare" a comma be inserted.

Mr. NUR AHMED: I oppose this amendment. As the clause stands, there is no necessity of adding any comma whatsoever, as it is quite intelligible without it.

(The amendment was put and negatived.)

Mr. DEPUTY PRESIDENT: The question before the House is that clause 2A stand part of the Bill.

(The motion was agreed to.)

Khan Bahadur NAZIRUDDIN AHMAD: I beg to move that in the short title of the Bill, for the figure "1944", the figure "1945" be substituted.

Mr. DEPUTY PRESIDENT: Amendment moved that in the short title of the Bill, for the figure "1944", the figure "1945" be substituted.

(The amendment was agreed to.)

Mr. DEPUTY PRESIDENT: The question before the House is that the short title as amended be added to the Bill.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: The question before the House is: that the Preamble be added to the Bill.

(The motion was agreed to.)

Mr. NUR AHMED: I beg to move that the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940, as settled in the Council, be passed.

Sir, in moving this motion I must accord my thanks to the members of the House. I am flattered to think that this Bill evoked support from all quarters. Very recently in January last there was a meeting at the Calcutta University Institute under the presidentship of that great Indian

lady Mrs. Sarojini Naidu. There was a large gethering and this bill was wholeheartedly supported. This amending Bill has popular support from all sides. I appeal to the House to accord their whole-hearted support to abolish this evil from Bengal. We people of Bengal will have to work whole-heartedly for the rescue of those unfortunate sisters who are compelled to take to selling their honour. Unless we can rescue our sisters, unless we can reorganise our society there is no hope for Bengal. Another item for consideration is unless we pass this measure it will not be possible for us to bring about the abolition of that evil which is now prevalent. Suppression of brothels will reduce the evil. Madras abolished this evil. Bombay also abolished it. Why should Bengal lag behind? With these words, Sir, I move the final passing of the Bill and appeal to all members of the House to be unanimous in the matter. Let us remove the bad name of the great city of Calcutta and let Calcutta once more shine as a purer city. Let us stop the social evil that has spread in Bengal and caused misery to so many people. With this fervent appeal, I commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved: that the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940, as settled in the Council, be passed.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, with regard to this motion for the third reading of the Bill, I have only a few words to submit. I must say at the beginning that I do not possess the optimism of my friend the mover of the Bill. I have already said that if all persons of the world would have been like my friend, the mover of the Bill, then prostitution would have died a natural death. As I have stated earlier that the effect would be that these prostitutes would be driven from small lanes to where we do not know. I wish I could be as enthusiastic as my honourable friend; but I cannot believe that prostitution can be suppressed. If there is a disease, a doctor does not want to suppress it but wants to cure it by applying medicine from outside as well as from within. If you want to suppress this necessary evil, it may find vent in other ways and have other repercussions and probably would lead to greater mischief. I find that the House seems to be in an optimistic mood and bent upon doing this good, being imbued with a high sense of duty. I only ask the honourable members to consider one thing. If this Bill is passed the Government should proceed rather cautiously to give effect to its provisions. The housing condition of these unfortunates should be seriously looked into. The localities should be separated from those inhabited by the civilian population. My honourable friend in his enthusiasm has said that he was determined to rescue these unfortunates and to bring them back to the society. I ask him in all sincerity what arrangements have been made to rescue these women, to feed them, to enable them to live a clean life? If you do not do that, the effect of this Bill would be that prostitution would be driven underground.

With these few words, I support the motion for the third reading of this Bill; but would request the Government to proceed rather cautiously in this matter, to proceed step by step and think of all possible reactions.

Alhadj Khan Bahadur SHAIKH MD. JAN: Mr. Deputy President, Sir, I support the Bill as reported by the Select Committee. I do not know why my honourable friend Khan Bahadur Naziruddin Ahmad is opposing this Bill. As a true Mussalman, I am in favour of its complete suppression or abolition. By suppressing prostitution, marriages would be increased. Europe and other countries are encouraging marriages and are awarding stipends to parents having many children. This would help to increase the man-power of a country. Some day India might be required to have more man-power. So, in my humble opinion this Bill is very necessary and not only prostitution should be regulated but should be abolished as far as possible.

With these few words, I support the Bill.

Mr. DEPUTY PRESIDENT: The question before the House is that the Bengal Suppression of Immoral Traffic (Amendment) Bill, 1940, as settled in the Council, be passed.

(The motion was agreed to.)

IX—The Indian Lunacy (Bengal Amendment) Bill, 1943.

Mr. NUR AHMAD: Sir, I beg to move that the Indian Lunacy (Bengal Amendment) Bill, 1943, be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad, Minister-in-charge of the Public Health and Local Self-Government Department,

(2) Mr. R. W. N. Ferguson,

(3) Dr. Kumud Sankar Ray,

(4) Rai Bahadur Brojendra Mohan Maitra,

(5) Mr. Khorshed Alam Chowdhury,

(6) Mr. Haridas Mazumdar,

(7) Mr. Kader Baksh,

(8) Khan Bahadur M. Shamsuzzoha,

(9) Mr. Abdul Latif,

(10) Dr. Kasiruddin Talukdar, and

(11) the mover,

with instructions to submit their report within four months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Sir, this is a very short Bill which wants to amend the Indian Lunacy Act in one point only, namely, to give power for temporary release of the lunatics under certain conditions. There is no provision in the Indian Lunacy Act for temporary release of any lunatics. This Bill was circulated for eliciting public opinion thereon. About 45 opinions have been received, and with a few exceptions all the opinions support this provision in the Bill. It was particularly circulated to those who are in charge of the lunatics and who are in charge of the jails. Sir, for the information of the House I refer only to some of the opinions of the District officials and also officers in charge of jails. Sir, at first I refer to the opinion of the District Magistrate of Malda who says that "some such provision is desirable even in the case of temporary release." Then I refer to the opinion of the District Magistrate of Tippera who says that "I see no objection to the provisions of this Bill." Then I refer to the opinion of the Superintendent, Tippera Jail, who says that "I agree to the provisions proposed by Mr. Nur Ahmed, M.L.C....." Then I refer to the opinion of the Secretary, Indian Tea Planters' Association, Jalpaiguri, who has said that "I am directed by the Committee of my Association to state that there is no objection to the provisions of the Bill." Then I refer to the opinion of the Superintendent, Pabna Jail, which runs as follows:—

"I have highly appreciated the amendment regarding temporary release of any lunatic detained in the asylum."

I also refer to the opinion of the Superintendent of the Chittagong Jail, my own district. The Jail Superintendent says "I am of opinion that this proposed amendment would be a considerable improvement on the existing Lunacy Act as it is in accord with modern ideas regarding treatment of mental diseases."

Mr. LALIT CHANDRA DAS: All these opinions have already been circulated to honourable members and it is no use reading them out.

Mr. NUR AHMED: The opinions were circulated no doubt but in support of my motion for referring the Bill to a Select Committee, I am citing them again. However, Sir, I do not want to say more and I simply commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved: that the Indian Lunacy (Bengal Amendment) Bill, 1943, be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad, Minister-in-charge of the Public Health and Local Self-Government Department,

(2) Mr. R. W. N. Ferguson,

(3) Dr. Kumud Sankar Ray,

(4) Rai Bahadur Brojendra Mohan Maitra,

(5) Mr. Khorshed Alam Chowdhury,

(6) Khan Bahadur M. Abdul Momin, C.I.E.,

(7) Mr. Kader Baksh,

(8) Khan Bahadur M. Shamsuzzoha,

(9) Mr. Abdul Latif,

(10) Dr. Kasiruddin Talukdar, and

(11) the mover,

with instructions to submit their report within four months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Mr. HARIDAS MAZUMDAR: Sir, I oppose the motion on the technical ground that no one has been taken on the select committee from this party; We are entitled to one member.

Mr. NUR AHMED: I am very sorry, Sir, that by an oversight no nominee from that party has been taken in. If there is no objection on the part of my friend, Mr. Mazumdar, to move an amendment to that effect, or if the Chair gives me permission I can move an amendment, that in place of Khan Bahadur Momin, the name of Mr. Haridas Mazumdar be substituted.

Mr. DEPUTY PRESIDENT: Let some other honourable member do so.

Khan Sahib FARIDUDDIN AHMAD: With your permission I move that the name of Khan Bahadur Momin be substituted by that of Mr. Haridas Mazumdar in the personnel of the Select Committee.

Mr. HARIDAS MAZUMDAR: Sir, I withdraw my objection.

Mr. DEPUTY PRESIDENT: Amendment moved: that the name of Khan Bahadur M. A. Momin be substituted by that of Mr. Haridas Mazumdar in the personnel of the Select Committee.

Mr. W. B. C. LAIDLAW: Sir, we cannot agree to this motion as we feel that there is no need for this Bill at all. We find no sense in this at all, because section 33 of the existing Act gives power to the authorities in charge of lunatics to discharge them if they think fit on application by a relative or friend. It appears to me that the existing provision covers all that Mr. Nur Ahmed seeks to accomplish by his Indian Lunacy (Bengal Amendment) Bill, 1943; and for that reason I oppose the motion. But apart from that altogether, it is very difficult to dissociate lunacy from the actual terms of the Bill. Let me give an example. In the proposed section 33D the honourable member suggests "if such lunatic is at any time

during the period of such release found to be unmanageable or dangerous and unfit to be at large * * * * * " then various steps have to be taken. But the point is the result of the Bill as envisaged in the proposed clause 33D, namely that unmanageable and dangerous lunatic may be at large. Surely that is an object with which nobody will agree. We are going to oppose this motion. In any case, I mentioned to the member before today's meeting began that Mr. Ferguson would not be able to be present on the Select Committee and I suggested that he should replace that name by the name of Mr. Clarke. I am not prepared to move an amendment to this effect. But if some other member moves such an amendment we would agree to it.

Mr. DEPUTY PRESIDENT: But you are competent to move the amendment.

Mr. W. B. C. LAIDLAW: Sir, I object to the whole motion.

Mr. DEPUTY PRESIDENT: You object to the motion for referring the Bill to the Select Committee?

Mr. W. B. C. LAIDLAW: Yes.

Khan Sahib FARIDUDDIN AHMED: I beg to move the name of Mr. R. W. N. Ferguson be replaced by the name of Mr. Clarke to serve on the Select Committee.

(The amendment was agreed to.)

Mr. DEPUTY PRESIDENT: Amendment moved that the Indian Lunacy (Bengal Amendment) Bill, 1943, be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad, Minister-in-charge of the Public Health and Local Self-Government Department,

(2) Mr. C. E. Clarke,

(3) Dr. Kumud Sankar Ray,

(4) Rai Bahadur Brojendra Mohan Maitra,

(5) Mr. Khorshed Alam Chowdhury,

(6) Mr. Haridas Mazumdar,

(7) Mr. Kader Baksh,

(8) Khan Bahadur M. Shamsuzzoha,

(9) Mr. Abdul Latif,

(10) Dr. Kasiruddin Talukdar, and

(11) the mover,

with instructions to submit their report within four months from the date of reference and that the number of members whose present shall be necessary to constitute a quorum shall be four.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I beg to oppose the motion. In doing so I must make it plain that my objection is not directed against the personnel of the Select Committee or to the objects of this Bill. I agree with Mr. Laidlaw that, for practical purposes, the provisions of section 33 of the main Act are wide enough to cover cases which are attempted to be covered by the Bill. In fact the Government have ample power, whenever they think fit, to release lunatic prisoners from jail custody and make them over to whomsoever they think fit. This Bill attempts to widen the provisions. The danger that may arise from their temporary release would be that it would be impossible to say how the lunatic would behave when so released. They may commit crimes during their temporary release. The matter should therefore be carefully considered before we

send it to the Select Committee. In sending a Bill to a Seelct Committee we are asked to accept the principles of the Bill. As the Bill is unnecessary and might be attended with danger, I oppose the motion.

Mr. DEPUTY PRESIDENT: The question before the House is that the Indian Lunacy (Bengal Amendment) Bill, 1945, be referred to a Select Committee consisting of:—

(1) The Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad, Minister-in-charge of the Public Health and Local Self-Government Department,

(2) Mr. C. E. Clarke,

(3) Dr. Kumud Sankar Ray,

(4) Rai Bahadur Brojendra Mohan Maitra,

(5) Mr. Khorshed Alam Chowdhury,

(6) Mr. Haridas Mazumdar,

(7) Mr. Kader Baksh,

(8) Khan Bahadur M. Shamsuzzoha,

(9) Mr. Abdul Latif,

(10) Dr. Kasiruddin Talukdar, and

(11) the mover,

with instructions to submit their report within four months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The question being put, a division was challenged and taken with the following result:

AYE—17.

Khan Sahib Fariduddin Ahmad.	**Mrs. K.D'Rozario.**
Mr. Mesbahuddin Ahmed.	**Khan Bahadur A. Gofran.**
Mr. Nur Ahmed.	**The Hon'ble Khan Bahadur S. M. Hossain.**
Mr. S. Ahmed.	**Mr. Latafat Hossain.**
Khan Bahadur N. Amin.	**Mr. Abdul Latiff.**
Mr. K. Baksh.	**Khan Sahib Subidali Mollah.**
Mr. D. L. Barua.	**Mr. K. C. Roy Chowdhury.**
Mr. Reajuddin Bhuiya.	**Khan Sahib Maulvi Wahiduzzaman.**
Mr. Moazzemali Chowdhury.	

NOES—13.

Khan Bahadur Naziruddin Ahmad.	**Mr. Humayun Kabir.**
Mr. S. C. Chakraverti.	**Mr. W. B. G. Laidlaw.**
Mr. Khorshed Alam Chowdhury.	**Rai Bahadur B. M. Maitra.**
Mr. L. C. Das.	**Mr. H. D. Majumdar.**
Mr. K. K. Dutta.	**Mr. James Orr.**
Alhadj Khan Bahadur Shaikh Mohammad Jan.	**Mr. R. S. Purssell.**
	Rai Sahib J. N. Ray.

Mr. DEPUTY PRESIDENT: Order, order. The House has divided. For the motion—17; against the motion—13. The motion is, therefore, carried.

The Bengal State-Aid to Industries (Amendment) Bill, 1940.

Mr. NUR AHMED: I beg to move that the Bengal State-Aid to Industries (Amendment) Bill, 1940, be referred to a select committee consisting of—

(1) The Hon'ble Khwaja Shahabuddin, Minister-in-charge of the Commerce, Labour and Industries Department,

(2) Mr. W. B. G. Laidlaw,

(3) Mr. Lalit Chandra Das,

(4) Mr. Shrish Chandra Chakraverti,
(5) Mr. Haridas Mazumdar,
(6) Mr. Khorshed Alam Chowdhury,
(7) Mr. Dhirendra Lal Barua,
(8) Khan Sahib Fariduddin Ahmed,
(9) Mr. Md. Habibullah Chowdhury,
(10) Mr. Mohammad Hossain, and
(11) the mover,

with instructions to submit their report within four months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Sir, this Amendment Bill was first introduced in 1937. But when my term of membership terminated, the Bill lapsed. It was re-introduced in 1940. In the meantime, the first coalition ministry brought an amending Bill and in view of that I did not move any motion for referring this Bill to a select committee. The Government Bill was indeed referred to a select committee but in the meantime the first coalition ministry fell and the Bill was not proceeded with by the following ministry. This amending Bill contains some useful provisions to amend the present Act in such a way as would enable the State to develop the industries in Bengal. Various steps have been taken for the development of industries in other provinces. The Indian Industrial Commission went into the question of the working of various provincial acts. The Government of India appointed a Commission to enquire into the matter under the head of working of the State Aid to Industries the Commission found that the Bengal Act was defective. It must be admitted that the Bengal Act in some respects contain wider scope than the Madras Act and other similar acts of other provinces in India. But in the matter of small industries and cottage industry the definition is not what it should be. Though this Act was enacted in 1931 it is an admitted fact that no extensive use has been made of this Act in order to develop small industries and cottage industries in Bengal. There are some defects in the provisions of this Act which come in the way of giving aid to the industries in such a way as the industry may develop in all possible way. There is a provision of Board; but the Board's work is not salutary at all. The Industrial Commission found that in Bengal very little sum has been spent by the Government and there is no fund to speak just like that of Madras and Punjab out of which help can be given. The provisions of the Act and rules made thereunder are so elaborate and so complicated that persons applying for aid have to undergo a lengthy process to get aid and it takes such a long time that no benefit is derived from it. In Bengal the largest sum spent on these industries has not exceeded Rs.50,000. I know that Government intend to bring in a comprehensive Bill and this was the reason why my Bill was circulated for eliciting public opinion when I brought it last time. It received widespread support from all quarters. As the Bill was circulated long ago, as far back as 1940, I may just give some of the opinion received. Altogether 67 opinions were received. Most of them support the Bill. The District Magistrate of Jessore says "I am in general in complete agreement with the object of the Amendment Bill. The Provincial Government should be given powers to grant subsidies to cottage industries. Regarding the detailed provisions of the Bill, I give below my opinion clause by clause. Clause 1—No objection. Clause 2—No objection. Clause 3—clause (*j*) may be accepted but clause (*k*) requires modification. The existing law provides for two members to be elected from among the members of the Bengal Legislative Council. An addition of four more members from the Legislature would make the technical body far too cumbrous if the Legislature should find representation on the Board and not six as is being proposed. I would

further suggest that two District Officers to be nominated by the Government should also be given seats on the Board. At present the Board do not get the benefit of the advice of men who are actually engaged in the work of reviving village industries. Politicians and representatives of vested interests would be doing useful service but it will be a definite advantage to have at least two officials in direct touch with the industrial problems in rural areas on the Board. I would further suggest the addition of two more seats to two selected Chairmen of District Boards. The latter bodies are keenly and directly interested in the revival of rural industries. Two of the Chairmen ought to be associated in this nation-Building work of high importance. Clause 4—the addition proposed does not seem necessary. Clause 5—No objection. Clause 6—The limit of help prescribed by the existing law is very healthy and should not be exceeded in any case. Clause 7—No objection. Clause 8—Does not strike me as necessary. Clause 9—No objection. Clause 10—Not necessary. Chairman of the Jessore Municipality intimates that the provisions of the Bill have been approved. The District Magistrate of Burdwan says "I have the honour to say that the provisions of the Bill appear to be desirable for helping new industries and opening up avenues of employment." Vice-Chairman, Rajshahi District Board, states "That the Board has no objection with regard to the amendment proposed therein." Then, Sir, I refer to the opinion of the Second Vice-Chairman, Bankura District Board, which is to the effect that "This Board at its last meeting has resolved that the District Board has no objection with regard to the provisions of the Bill." Then let me read the opinion of the Joint Honorary Secretaries, British Indian Association, which runs thus—

"The Bill seeks to get over the stringent provisions of the Bengal State Aid to Industries Act, 1931, and to provide for enabling State Aid to be given mainly for the purpose of encouraging and developing cottage industries and industries on a small scale in the shape of loan guarantee. With such a Bill our Committee are in perfect agreement as they are of opinion that the case for nursing and developing cottage industries in Bengal through Government subsidy or loan is very strong. The Committee have observed that the State Aid to Industries Act of 1931, has not met with the needs satisfactorily and given no impetus to the development of cottage industries, although individuals have obtained financial aid to a limited extent on stringent conditions. It is essential to widen the scope of the Act. The formation of a non-official Advisory Board and also of District Committee is also a move in the right direction. In the circumstances our Committee are in general agreement with the Bill under review."

Sir, there are also other opinions which have been received and which strongly support this Bill. Therefore, I commend this motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Order, order. Motion moved that the Bengal State-Aid to Industries (Amendment) Bill, 1940, be referred to a Select Committee consisting of—

(1) The Hon'ble Khwaja Shahabuddin, Minister-in-charge of the Commerce, Labour and Industries Department,

(2) Mr. W. B. G. Laidlaw,

(3) Mr. Lalit Chandra Das,

(4) Mr. Shrish Chandra Chakraverti,

(5) Mr. Haridas Mazumdar,

(6) Mr. Khorshed Alam Chowdhury.

(7) Mr. Dhirendra Lal Barua,

(8) Khan Sahib Fariduddin Ahmed,

(9) Mr. Md. Habibulla Chowdhury,

(10) Mr. Mohammad Hossain, and

(11) the mover,

with instructions to submit their report within four months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, on this motion I should like to know the position of the Hon'ble Minister in charge of the Department. I know that the Government were considering a project like this for a long time. It is probable that Government have not yet concluded their deliberation. A scheme like this requires money; the question would be whether Government would be prepared to spend money. The other question would be supply of a necessary machinery to work out the scheme; I would like to know whether Government are in a position to provide the necessary machinery to work the scheme——

Mr. LALIT CHANDRA DAS: But what is the scheme?

Khan Bahadur NAZIRUDDIN AHMAD: That is the next question which I am going to deal with. The question of the scheme is very important. The honourable mover of the motion has said that this is a part of the post-war reconstruction scheme. But in the Budget which was recently presented here, there was no indication of any post-war reconstruction scheme. In fact, this rehabilitation of cottage industries and small industries should be a part of the post-war reconstruction. A scheme of this magnitude and importance should not be considered piecemeal, but the Government should come forward with a complete scheme with necessary amount of money and adequate staff, and then only a scheme of this magnitude may be considered properly. The question that is attempted to be dealt with by this Bill is only a piecemeal measure affecting only the fringe of the subject. A more satisfactory and a comprehensive scheme will alone be adequate. In fact, it is necessary for the Government to carefully consider whether it should be a party to a piecemeal measure like this. Government are notoriously unsuited for managing business, and whenever they try to do so, mismanagement is generally the result. It is for this reason that I would suggest to the Hon'ble Minister to give us his considered views on this subject, a much fuller picture of the reconstruction scheme which may be in his mind of which this subject is only a part. I do not object to this Bill on any abstract principle; I consider the subject to be too important to be disposed of by sending it to a Select Committee. That would simply be sending it to the waste paper basket. The subject is important enough to justify a more comprehensive treatment. The scheme, the finance and the necessary working machinery must be considered as a whole. So far as voting on this motion is concerned, much will depend upon how the Hon'ble Minister explains his position.

The Hon'ble Mr. K. SHAHABUDDIN: Sir, I agree with my honourable friend, Khan Bahadur Naziruddin Ahmad, that the Bill envisages matters which require very careful consideration, and that a Bill for State Aid to Industries should be more comprehensive than what is contemplated by the honourable mover of the motion. I admit that my friend Mr. Nur Ahmed has done a very useful service by bringing to the notice of the House this very urgent matter; but as Khan Bahadur Naziruddin has said the matter has been under the consideration of Government for a long time. An Industrial Survey Committee of Bengal has also considered this Bill for State Aid to industries and they have made certain recommendations. Besides, this Government had other Bills examined by the Director of Industries and by two or three gentlemen who were on the Board of Industries. Government after considering all their recommendations have prepared the main outlines of a Bill. The delay has taken place owing to

the examination of the Bill by the Finance Department but I am in a position to assure the House that the stage has been reached where I can give an assurance that a comprehensive Bill will be introduced in this House in the next session and I agree that until and unless a proper and liberal provision of funds is forthcoming this amending Bill will not be of much use. Government is considering all these points and I hope I may be able soon to come up with my Bill before the House. By that time I hope to be able to obtain the consent of the entire cabinet to a liberal provision of funds for this purpose. Therefore, I would request the honourable mover of the motion to withdraw the Bill and not to press his motion for referring it to a Select Committee.

Mr. NUR AHMED: In view of the assurance given by the Honourable Minister, I beg to withdraw my motion.

Mr. DEPUTY PRESIDENT: Is it the pleasure of the House to give leave to the honourable mover to withdraw his motion?

(Cries of "Yes, Yes").

(The motion was then, by leave of the House, withdrawn.)

Mr. DEPUTY PRESIDENT: The House now stands adjourned till 1-30 p.m. on Monday.

Adjournment.

The Council then adjourned till 1-30 p.m. on Monday, the 5th March, 1945.

Members Absent.

The following members were absent from the meeting held on the 2nd March, 1945:—

(1) Rai Bahadur K. C. Banerji.
(2) Mr. M. R. Jaipuria.
(3) Maulana Mohd. Akrum Khan.
(4) Mr. N. N. Mohalanabish.
(5) Khan Bahadur M. A. Momin.
(6) Mr. N. N. Mookerji.
(7) Khan Bahadur Muklesur Rahman.
(8) Dr. K. S. Ray.
(9) Rai Bahadur R. B. Roy.
(10) The Hon'ble Sir B. P. Singh Roy.

PGP-4546-2802A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 10.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 5th March, 1945, at 1-30 p.m., being the tenth day of the First Session of 1945, pursuant to Section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Point of Information.

Mr. HARIDAS MAZUMDAR: With reference to my short-notice question regarding Mr. Satindra Nath Sen's hunger-strike, the Hon'ble Minister in charge said that he would reply to this question. May I know if he will give his reply today?

Mr. DEPUTY PRESIDENT: Sir Nazimuddin, are you prepared to give the reply?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will give reply to the question regarding Kamalaghat fire.

Mr. HARIDAS MAZUMDAR: That was, Sir, an ordinary question. I want to know if the Hon'ble Chief Minister will answer my short-notice question regarding Mr. Satindra Nath Sen's hunger-strike in connection with T. B. prisoners. He promised to reply to it today.

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir, that answer was fixed to be given on Tuesday and not Monday.

QUESTIONS AND ANSWERS

Fire at Kamalaghat bandar in Munshiganj.

47. Mr. HARIDAS MAZUMDAR: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the cause of the fire which broke out at Kamalaghat *bandar* in the Munshiganj subdivision of the district of Dacca during the night of the 26th/27th October, 1944;

(*ii*) the total loss caused by the fire;

(*iii*) how many Hindu shopkeepers and businessmen were affected and what was the total loss to their property; and

(*iv*) how many Muhammadan shopkeepers and businessmen were affected and what was the total loss to their property?

(*b*) Do the Government consider the advisability of appointing a public enquiry committee consisting of officials and non-officials at an early date in view of the grave charges that are being circulated against the Subdivisional Officer in charge of the subdivision?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) The fire started in a godown of Babu Jagadish Pal and Government are satisfied that it was an accident.

(*ii*) to (*iv*) Detailed information is not available. The total number of merchants affected was 103.

(*b*) No.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state the reason for arriving at the conclusion that Government was satisfied that it was an accident? What is the basis of that conclusion?

The Hon'ble Khwaja Sir NAZIMUDDIN: We have had more than one thorough enquiry made in the matter and it was found that there is nothing to show that it was done by somebody deliberately. There is not an iota of evidence that it was an act of incendiarism. The police officers who enquired into the matter are definitely of opinion that there is no proof whatsoever in support of the contention that it was an act of incendiarism. If anything at all, there is some doubt whether it was done by himself; but even of that there is no evidence.

Mr. HARIDAS MAZUMDAR: Will the Mon'ble Minister be pleased to state who are the persons who held the enquiry?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Superintendent of Police himself.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state whether it was a public enquiry or not?

The Hon'ble Khwaja Sir NAZIMUDDIN: The usual enquiry was made and any member of the public were entitled to go there. As a matter of fact, when he was making enquiry on the spot he asked members of the public to give any information they wanted to give.

Mr. HARIDAS MAJUMDAR: Was it notified that an enquiry was going to be held and that the persons interested should depose before the committee?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as I am aware, it was not notified in the Gazette.

Mr. HARIDAS MAJUMDAR: Then how the people would know that there was going to be an enquiry?

The Hon'ble Khwaja Sir NAZIMUDDIN: The honourable member has no idea of Kamalaghat or in fact any idea about rural condition. Whenever a Superintendent of Police goes there, the people get information that there was going to be an enquiry.

Mr. HARIDAS MAJUMDAR: In the circumstances, does the Government propose to hold another public enquiry as already there have been many comments in the newspapers to the effect that this was due to incendiarism?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, it is unfortunate that I have not got the papers with me but the reports show overwhelmingly that it was not due to incendiarism.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister please state how long it would take to place the detailed information before the House?

The Hon'ble Khwaja Sir NAZIMUDDIN: Very likely, if the honourable members put another question in this session.

Message from the Assembly.

The SECRETARY (Dr. S. K. D. Gupta): Sir, the following message has been received from the Bengal Legislative Assembly:—

"The Bengal Legislative Assembly at its meeting held on the 28th February, 1945, agreed to the Bengal Embankment (Amendment) Bill, 1944, as passed by the Bengal Legislative Council, without any amendments.

(Sd.) SYED NAUSHERALI, *Speaker*,
Bengal Legislative Assembly."

Laying of the Bengal Motor Vehicles Rules, 1940.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to lay before the House the amendments to the Bengal Motor Vehicles Rules, 1940.

The Criminal Procedure (Bengal Amendment) Bill, 1945.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I also beg to introduce the Criminal Procedure (Bengal Amendment) Bill, 1945.

The Secretary then read the short title of the Bill.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

The Albert Victor Leper Hospital (Amendment) Bill.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Albert Victor Leper Hospital (Amendment) Bill, as passed by the Assembly, be taken into consideration.

Mr. DEPUTY PRESIDENT: Motion moved that the Albert Victor Leper Hospital (Amendment) Bill, as passed by the Assembly, be taken into consideration.

The question before the House is: That the Albert Victor Leper Hospital (Amsndment) Bill, as passed by the Assembly, be taken into consideration.

(The motion was agreed to.)

The Murshidabad Bill, 1944, as passed by the Assembly.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to move that the Murshidabad Bill, 1944, as passed by the Assembly, be taken into consideration.

In this connection I may say that the object of the Bill is to make adequate provision for the maintenance of the younger children of the deceased Nawab Bahadur and their sons and daughters consistent with their family dignity. Under the existing law all properties belonging to the Murshidabad Estate descended and are enjoyed by the Nawab Bahadur under the custom of the primogeniture. Thus the younger sons and daughters of the Nawab Bahadur have no right to the Estate properties. At present certain allowances are given to the younger sons and daughters of the Nawab Bahadur out of the income of the Estate which is no under the management of the Court of Wards. But such management shall automatically cease under the Murshidabad Estate Administration Act, 1933, after the demise of the present Nawab Bahadur and there may not be any occasion for Government's taking over the management again. In that case, the younger children of the deceased Nawab Bahadur will be at the mercy of the Nawab Bahadur. This state of affairs cannot be considered as desirable in respect of a noble family of the province. Accordingly under the provisions of the Bill a charge has been created on the agricultural income of the State to the extent of Rs.1 lakh for distribution among the younger children of the deceased Nawab Bahadur and their sons and daughters. This measure has the approval of the present Nawab Bahadur of Murshidabad and the heir-apparent. In short it is a temporary arrangement which requires the seal of approval of the Legislature, and I hope, Sir, that in a matter like this the House will be pleased to accept it.

Mr. DEPUTY PRESIDENT: Order, order. Motion moved that the Murshidabad Bill, 1944, as passed by the Assembly be taken into consideration.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, in this connection I would like to know whether previous sanction of the Governor has been

taken to this Bill. It is necessary under section 299(*3*) of the Government of India Act, 1935, that if a Bill or an amendment affects the rights to lands it cannot be introduced in any House without the previous sanction of the Governor. It is a formal question that I put, and I suppose the sanction has been taken.

The Hon'ble Mr. TARAK NATH MUKERJEA: The previous approval of His Excellency has been obtained already.

Mr. DEPUTY PRESIDENT: Order, order. The question before the House is that the Murshidabad Bill, 1944, as passed by the Assembly be taken into consideration.

(The motion was agreed to.)

The Bengal Destitute Persons (Repatriation and Relief) Bill, 1944.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to move that the amendments made by the Assembly to the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, be taken into consideration.

Sir, in this connection I would like to say that the Bill was originally introduced in the Council and passed by it on the 17th February, 1944, and it was passed by the Assembly in the last Session with certain amendments and referred back to the Council for its approval to these amendments. The amendments made by the Assembly are intended to remove certain drafting defects in the Bill to ensure more efficient working of the measure and also to provide for the continuance of the action taken under the Ordinance III of 1943, and validation of the action taken after the expiry of the Ordinance III of 1943. The amendments thus made are now placed before the House for concurrence.

Mr. DEPUTY PRESIDENT: Order, order. Motion moved: That the amendments made by the Assembly to the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, be taken into consideration.

Mr. DEPUTY PRESIDENT: The question before the House is: that the amendments made by the Assembly to the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, be taken into consideration.

(The question was agreed to.)

The Bengal Finance Bill, 1944 (as passed by the Assembly).

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to move that the Bengal Finance Bill, 1944, as passed by the Assembly, be taken into consideration by the Council.

The object of this Bill is to extend, up to the 31st March, 1948, the operation of the enhanced rates, introduced by the Bengal Finance Act, 1943, in respect of the following taxes:

(1) Entertainments Tax, leviable under section 3 of the Bengal Amusements Tax Act, 1922, (Bengal Act V of 1922),

(2) Totalisator Tax, leviable under section 15 of the said Act;

(3) Betting tax, leviable under section 18 of the said Act; and

(4) Electricity Duty, leviable under section 3 of the Bengal Electricity Duty, Act, 1935, (Bengal Act X of 1935).

It will be recalled that the Bengal Finance Act of 1943 was enacted by the Governor during the period of operation of section 93 of the Government of India Act, 1935, in this province up to the 31st March, 1945. In terms of sub-section (*4*) of section 43 of the Government of India Act, 1935, the Bengal Finance Act, 1943, will cease to have effect on the expiry of two years from the date of its coming into force, and the enhancement introduced under that Act unless re-enacted by the Legislature will cease to be

effective after the 15th April, 1945. It will be readily appreciated that in the present circumstances there can be no question of giving up the additional revenue which is being brought in by the Bengal Finance Act. It is proposed therefore to continue the provisions of the existing Act up to the 31st March, 1948. I commend my motion for the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Finance Bill, 1944, as passed by the Assembly, be taken into consideration.

Mr. DEPUTY PRESIDENT: The question before the House is: that the Bengal Finance Bill, 1944, as passed by the Assembly be taken into consideration.

(The motion was agreed to.)

The Bengal Repealing and Amending Bill, 1944.

The Hon'ble Nawab MUSHARRUFF HOSAIN, Khan Bahadur: I beg to move that the Bengal Repealing and Amending Bill, 1945, be taken into consideration.

The Bill was introduced in 1944. Now it is being considered in 1945 and it is published in 1945; so it should be 1945.

This Bill is similar in type to the Bengal Repealing and Amending Act, 1938, (Bengal Act I of 1939), which I had the pleasure of bringing before, and getting passed by, this Legislature in the year 1938.

After that the Bengal General Clauses (Amendment) Act, 1939 (Bengal Act I of 1940), was enacted by this Legislature. This latter enactment amongst other things inserted a new section, viz., section 8A, in the Bengal General Clauses Act, 1899, by virtue of which it is now possible to repeal enactments passed since the commencement of Bengal Act I of 1899 by which textual amendments have been made in previous enactments without, in any way, affecting the continuance of the alterations made in the principal Acts by such amending enactments. This has made possible the removal from the Statute Book of a number of enactments which are no longer of any use in themselves. It will appear from the Section Schedule appended to this Bill that the bulk of the repeals proposed in this Bill relate to matters of this description.

Besides such repeals some other formal repeals and amendments also of a non-controversial nature have been sought to be made in the Statute Book by this measure. These amendments and repeals have been more fully explained in the remarks columns of the Schedules and in the Statement of Objects and Reasons appended to the Bill and do not call for further elaboration on my part.

In preparing the Bill great care has been taken to include only such repeals and amendments as are without doubt entirely of a formal nature and which cannot be the subject of any controversy.

Clause 4 of the Bill is a saving provision which closely follows precedents in enactments of this type enacted both in this Legislature and in the Central Legislature.

In view, therefore, of what I have now said, I request the House to agree to my motion without any division.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Repealing and Amending Bill, 1945, be taken into consideration.

The question before the House is that the Bengal Repealing and Amending Bill, 1945, be taken into consideration.

(The motion was agreed to.)

The Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945.

The Hon'ble Mr. TARAK NATH MUKERJEA: I beg to move that the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945, be taken into consideration.

Sir, under the existing law the Collector of a district should hold Patni sales personally on every occasion and if he is rendered unable to do so under emergent circumstances or illness, etc., the sales must be held up—position which is extremely unsatisfactory. In order to get over this unsatisfactory position with regard to the holding of Patni sales, it is necessary to amend the Bengal Rent Recovery (Under-Tenures) Act, 1865, so as to empower any officer other than the Collector, whom the Provincial Government by notification appoint to exercise the functions of a Collector under that Act.

Sir, this is a short simple Bill and I hope the House will accept it without division.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945, be taken into consideration.

The question before the House is that the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945, be taken into consideration.

(The motion was agreed to.)

GOVERNMENT BILLS.

The Albert Victor Leper Hospital (Amendment) Bill, 1944.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Albert Victor Leper Hospital (Amendment) Bill, 1944, be taken into consideration clause by clause. Sir, this is a very simple Bill and has only two clauses. The Bill only seeks to make provision so that the lands of the hospital can be disposed of if it is necessary in the interest of the institution to do so and it also seeks to acquire lands for the institution otherwise than by applying the provisions of the Land Acquisition Act, 1894. The sole object of the Bill is to make better management of the institution.

Mr. DEPUTY PRESIDENT: Clause 1 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: I beg to move: that in clause 1 of the Bill for the figure "1944", the figure "1945" be substituted.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of information, Sir. Cannot this correction be made by the office? If this correction can be automatically done by the office, I need not accept this amendment, otherwise I shall have to accept it.

Mr. DEPUTY PRESIDENT: This may be done by the office. There are precedents in the Bengal General Clauses (Amendment) Act, 1939, to this effect.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In that case, this amendment is not necessary at all and I think this clause as it is may stand.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, there should be definite precedent in regard to this sort of amendments. Many amendments have been accepted in the past. I quite admit that these are not necessary because the Secretary of the originating House has the full power to make such corrections, but I have brought in this amendment for an obvious reason which cannot be ignored. In these circumstances, I ask leave of the House to withdraw this motion provided you give a definite ruling that

in future these amendments will not be necessary. As a matter of fact this practice has been followed by many honourable members of this House and in order to raise this point, I have taken up this matter.

Mr. DEPUTY PRESIDENT: Order, order. I may tell the House that even without these amendments the purpose of the Bill will be served.

Khan Bahadur NAZIRUDDIN AHMAD: In that view of the matter, I beg leave of the House to withdraw my amendments.

Mr. DEPUTY PRESIDENT: Is it the desire of the House to grant the honourable member leave to withdraw his amendments?

The amendments were then, by leave of the House, withdrawn.

Clause 1.

Mr. DEPUTY PRESIDENT: The question before the House is that clause 1 stand part of the Bill.

(The question was put and agreed to.)

Clause 2.

Mr. DEPUTY PRESIDENT: The question before the House is that clause 2 stand part of the Bill.

(The question was put and agreed to.)

Title and Preamble.

Mr. DEPUTY PRESIDENT: The Title and Preamble be added to the Bill.

Mr. DEPUTY PRESIDENT: The question before the House is that the Title and Preamble be added to the Bill.

(The motion was agreed to.)

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Albert Victor Leper Hospital (Amendment) Bill, as settled in the Council, be passed.

Mr. DEPUTY PRESIDENT: Motion moved that the Albert Victor Leper Hospital (Amendment) Bill, as settled in the Council, be passed.

Mr. DEPUTY PRESIDENT: The question before the House is that the Albert Victor Leper Hospital (Amendment) Bill, as settled in the Council, be passed.

(The motion was agreed to.)

The Murshidabad Bill, 1944.

Mr. DEPUTY PRESIDENT: Order, order. The House will now take up consideration of the Murshidabad Bill, 1944, as passed by the Assembly.

Clause 1.

Mr. DEPUTY PRESIDENT: Clause 1 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I gave notice of some amendments. I understand the Department has gone through them and sent me a revised draft of amendments. They are exactly to the same effect, but they are more precisely worded. So, with your permission and with the permission of the House I move the amendment draft which has been sent to me.

Sir, I beg to move that in clause 1 of the Bill, for the figure "1944", the figure "1945" be substituted.

Mr. DEPUTY PRESIDENT: I may tell you, Khan Bahadur, that the same thing will happen in respect of this amendment also. So you need not move it.

Khan Bahadur NAZIRUDDIN AHMAD: All right, Sir.

Mr. DEPUTY PRESIDENT: Order, order. The question before the House is that clause 1 stand part of the Bill.

(The motion was agreed to.)

Clause 2.

Mr. DEPUTY PRESIDENT: Clause 2 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I beg to move that before sub-clause (*a*) of clause 2, the following be inserted, namely, "1(*a*) 'daughter' means legitimate daughter."

Sir, in moving this amendment I must say that this amendment would not have been necessary but for the passage which occurs in sub-section (*1*) of section 3, paragraph (*c*), where a son is qualified by the fact that a son must be "of a lawfully-married wife". An inference from that would be that other sons and daughters may be legitimate or illegitimate. The fact that a particular condition is attached to the sons and daughters in one place would necessarily imply that in other places the sons or daughters may not be legitimate. In order to clarify the position this amendment would be necessary and it is in this view that I have moved my amendment.

Mr. DEPUTY PRESIDENT: Amendment moved: that before sub-clause (*a*) of clause 2 the following be inserted, namely, "1(*a*) 'daughter' means a legitimate daughter."

The Hon'ble Mr. TARAK NATH MUKERJEA: I accept the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that before sub-clause (*a*) of clause 2 the following be inserted, namely, "1(*a*) 'daughter' means a legitimate daughter."

(The amendment was agreed to.)

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I ask your kind permission to revise my amendment exactly in the form suggested by the Revenue Department, namely, that after sub-clause (*c*) of clause 2, the following be inserted, namely, "(*cc*) 'son' means a legitimate son."

Mr. DEPUTY PRESIDENT: Amendment moved: that after sub-clause (*c*) of clause 2 the following be inserted, namely,

"(*cc*) 'son' means a legitimate son".

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I accept the amendment.

(The amendment was agreed to.)

Mr. DEPUTY PRESIDENT: The question before the House is that clause 2, as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 3.

Mr. DEPUTY PRESIDENT: Clause 2 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I ask your permission to move a revised amendment. I beg to move that in paragraph (*c*) of sub-clause (*1*) of clause 3 in lines 1 and 2 the words "born of a lawfully married wife" be omitted.

Sir, the difficulty that has been created in the Bill is that certain rights have been given to sons and daughters born of a lawfully married wife. Now, if these words—"born of a lawfully married wife" are retained the effect would be that sons and daughters described may be sons and daughters who need not be legitimate. So in order to remove this anomally I have moved this amendment and I hope the House will accept it.

Mr. DEPUTY PRESIDENT: Amendment moved that in paragraph (*c*) of sub-clause (*1*) of clause 3 in lines 1 and 2 the words "born of a lawfully married wife" be omitted.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I accept the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that in paragraph (*c*) of sub-clause (*1*) of clause 3 in lines 1 and 2 the words "born of a lawfully married wife" be omitted.

(The amendment was agreed to.)

Mr. DEPUTY PRESIDENT: The question before the House is: that clause 3, as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 4.

Mr. DEPUTY PRESIDENT: Clause 4 stand part of the Bill. The question before the house is that clause 4 stand part of the Bill.

(The motion was agreed to.)

Clause 5.

Mr. DEPUTY PRESIDENT: Clause 5 stand part of the Bill.

The question before the House is: that clause 5 stand part of the Bill.

(The motion was agreed to.)

Title and Preamble.

Mr. DEPUTY PRESIDENT: The question before the House is: that the short title and the preamble be added to the Bill.

(The motion was agreed to.)

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I am grateful to the House for accepting this Bill without much discussion.

I now beg to move that the Bill, as settled in the Council, be passed.

Mr. DEPUTY PRESIDENT: Motion moved that the Murshidabad Bill, 1944, as settled in the Council, be passed.

The question before the House is: that the Murshidabad Bill, 1944, as settled in the Council, be passed.

(The motion was agreed to.)

The Bengal Destitute Persons (Repatriation and Relief) Bill, 1944.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to move that the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, be taken into consideration, clause by clause.

Mr. DEPUTY PRESIDENT: Order, order. As regards the Bengal Destitute Persons (Repatriation and Relief) Bill, 1944, the House will now take up consideration of the amendments made by the Assembly.

Clause 3.

Mr. DEPUTY PRESIDENT: Motion moved: That for the proviso to sub-clause (*2*) of clause 3, the following proviso be substituted, namely:—

"Provided that no force shall be used to a woman except by another woman empowered in this behalf by the authorised officer."

Mr. DEPUTY PRESIDENT: The question before the House is that for the proviso to sub-clause (*2*) of clause 3, the following proviso be substituted, namely:—

"Provided that no force shall be used to a woman except by another woman empowered in this behalf by the authorised officer."

(The question was put and agreed to.)

Clause 4.

Mr. DEPUTY PRESIDENT: Motion moved: That in sub-clause (*1*) of clause 4, in line 1, for the word "may" the word "shall" be substituted.

Mr. DEPUTY PRESIDENT: The question before the House is that in sub-clause (*1*) of clause 4, in line 1, for the word "may" the word "shall" be substituted.

(The question was put and agreed to.)

Clause 5.

Mr. DEPUTY PRESIDENT: Motion moved: That for clause 5, the following clause be substituted, namely:—

"Orders as to conduct and discipline.

5. (*1*) An authorised officer may, subject to any rules made under section 12 and to such directions as may from time to time be issued in this behalf by the Provincial Government, make orders in writing for regulating the conduct of, and the maintenance of discipline amongst destitute persons detained under section 3 in any place provided under section 4 and when such orders have been made every destitute person so detained in such place shall comply with such orders.

(*2*) If any destitute person to whom an order under sub-section (*1*) relates wilfully disobeys or neglects to comply with such order, he shall on conviction before a Magistrate be liable to be punished with imprisonment for a term which may extend to three months."

Mr. DEPUTY PRESIDENT: The question before the House is that for clause 5, the following clause be substituted, namely:—

"Orders as to conduct and discipline.

5. (*1*) An authorised officer may, subject to any rules made under section 12 and to such directions as may from time to time be issued in this behalf by the Provincial Government, make orders in writing for regulating the conduct of, and the maintenance of discipline amongst destitute persons detained under section 3 in any place provided under section 4 and when such orders have been made every destitute person so detained in such place shall comply with such orders.

(*2*) If any destitute person to whom an order under sub-section (*1*) relates wilfully disobeys or neglects to comply with such order, he shall on conviction before a Magistrate be liable to be punished with imprisonment for a term which may extend to three months."

(The question was put and agreed to.)

Clause 7.

Mr. DEPUTY PRESIDENT: Amendment moved: For sub-clause (*1*) of clause 7, the following sub-clause be substituted:—

"(*1*) The authorized officer may at any time repatriate a destitute person detained under section 3 to the usual place of residence of such person as determined by such officer:

Provided that no destitute person shall be so repatriated unless the authorised officer is satisfied after such inquiries as he may consider necessary that adequate arrangements for ensuring the livelihood of such person have been made at such place of residence."

For paragraph (*b*) of sub-clause (*2*) of clause 7, the following paragraph be substituted, namely:—

"(*b*) by such means and such route or routes, as the authorized officer may determine".

For sub-clause (*4*) of clause 7, the following sub-clause be substituted, namely:—

"(*4*) If a destitute person,—

(*a*) wilfully obstructs any arrangements made by the authorised officer for his repatriation or refuses without reasonable cause to comply with any order of the authorised officer given by such officer for the purpose of effecting the repatriation of such person, or

(*b*) having as a result of repatriation left or been removed from Calcutta or any municipality, subsequently returns to any place within either Calcutta or any municipality and is found begging therein,

such person shall on conviction before a Magistrate be liable to be punished with imprisonment for a term which may extend to three months".

Mr. DEPUTY PRESIDENT: The question before the House is that in clause 7 for sub-clause (*1*) of clause 7, the following sub-clause be substituted:—

"(*1*) The authorized officer may at any time repatriate a destitute person detained under section 3 to the usual place of residence of such person as determined by such officer:

Provided that no destitute person shall be so repatriated unless the authorised officer is satisfied after such inquiries as he may consider necessary that adequate arrangements for ensuring the livelihood of such person have been made at such place of residence."

For paragraph (*b*) of sub-clause (*2*) of clause 7, the following paragraph be substituted, namely:—

"(*b*) by such means and such route or routes, as the authorized officer may determine."

For sub-clause (*4*) of clause 7, the following sub-clause be substituted, namely:—

"(*4*) If a destitute person,—

(*a*) wilfully obstructs any arrangements made by the authorised officer for his repatriation or refuses without reasonable cause to comply with any order of the authorised officer given by such officer for the purpose of effecting the repatriation of such person, or

(*b*) having as a result of repatriation left or been removed from Calcutta or any municipality, subsequently returns to any place within either Calcutta or any municipality and is found begging therein,

such person shall on conviction before a Magistrate be liable to be punished with imprisonment for a term which may extend to three months."

(The question was agreed to.)

Clause 8.

Mr. DEPUTY PRESIDENT: Amendment moved: That in clause 8, in line 5, for the word "rule", the word "order" be substituted.

Mr. DEPUTY PRESIDENT: The question before the House is that in clause 8, in line 5, for the word "rule", the word "order" be substituted.

(The question was agreed to.)

Clause 13.

Mr. DEPUTY PRESIDENT: Amendment moved: That for clause 13 the following clause be substituted, namely:—

"Continuance of action taken under Bengal Ordinance III of 1943 and Bengal Ordinance II of 1944 and validation of actions taken after the Bengal Ordinance III of 1943 ceased to be in operation.

13. (*1*) Any rules made or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943, shall, notwithstanding that the said Ordinance has ceased to be in operation, be deemed to have continued to have effect and to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 26th day of October, 1943.

(*2*) Any rules made or anything done or any action taken or any proceedings commenced before the commencement of this Act but after the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943, (hereinafter referred to in this sub-section as the first Ordinance) ceased to be in operation otherwise than under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, which if the first Ordinance had been in operation could have been validly made, done, taken or commenced in exercise of the powers conferred by or under the first Ordinance, shall not be invalid by reason of the fact that the first Ordinance had ceased to be in operation but shall be deemed to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 26th day of October, 1943.

(*3*) Any rules made or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, shall, on the said Ordinance ceasing to be in operation, be deemed to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act was already in force when such rules were made or such thing was done or such action was taken or such proceedings were commenced."

Mr. DEPUTY PRESIDENT: The question before the House is that for clause 13 the following clause be substituted:—

"Continuance of action taken under Bengal Ordinance III of 1943 and Bengal Ordinance II of 1944 and validation of actions taken after the Bengal Ordinance III of 1943 ceased to be in operation.

13. (*1*) Any rules made or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943, shall, notwithstanding that the said Ordinance has ceased to be in operation, be deemed to have continued to have effect and to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 26th day of October, 1943.

(2) Any rules made or anything done or any action taken or any proceedings commenced before the commencement of this Act but after the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943 (hereinafter referred to in this sub-section as the first Ordinance), ceased to be in operation otherwise than under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, which if the first Ordinance had been in operation could have been validly made, done, taken or commenced in exercise of the powers conferred by or under the first Ordinance, shall not be invalid by reason of the fact that the first Ordinance had ceased to be in operation but shall be deemed to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 26th day of October, 1943.

(3) Any rules made or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, shall on the said Ordinance ceasing to be in operation, be deemed to have been made, done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act was already in force when such rules were made or such thing was done or such action was taken or such proceedings were commenced."

(The motion was put and agreed to.)

Mr. DEPUTY PRESIDENT: Motion moved: That clause 14 the omitted.

The question before the House is that clause 14 be omitted.

(The motion was put and agreed to.)

Mr. DEPUTY PRESIDENT: The next item is the consideration and passing of the Bengal Finance Bill as passed by the Assembly, but as today was fixed for the sending in notices of amendments, this item cannot be taken up today.

The Bengal Repealing and Amending Bill, 1944.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, this House has just now considered the Bengal Repealing and Amending Bill, 1944, I now formally move that the consideration be now proceeded with.

Clauses 1, 2, 3 and 4.

Mr. DEPUTY PRESIDENT: Clauses 1, 2, 3 and 4 stand part of the Bill.

The question before the House is that clauses 1, 2, 3 and 4 stand part of the Bill.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: The first and second Schedules stand part of the Bill.

The question before the House is that the first and second schedule stand part of the Bill.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: The title and the preamble be added to the Bill.

The question before the House is that the title and the preamble be added to the Bill.

(The motion was agreed to.)

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Bengal Repealing and Amending Bill, as settled in the Council, be passed.

Mr. DEPUTY PRESIDENT: Motion moved, that the Bengal Repealing and Amending Bill, as settled in the Council, be passed.

The question before the House is that the Bengal Repealing and Amending Bill, as settled in the Council, be passed.

(The motion was agreed to.)

The Bengal Rent Recovery (Under Tenures) Amendment Bill, 1945.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to move that the Bengal Rent Recovery (Under Tenures) Amendment Bill, 1945, be taken up, clause by clause.

Clauses 1 and 2.

Mr. DEPUTY PRESIDENT: Clauses 1 and 2 stand part of the Bill.

The question before the House is that clauses 1 and 2 stand part of the Bill.

(The motion was agreed to.)

Clause 3.

Mr. DEPUTY PRESIDENT: Clause 3 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I sent notice of an amendment but the Hon'ble Minister has examined the amendment and has suggested a revised amendment and I beg to move that as my own amendment. I beg to move that in clause 3 of the Bill in sub-clause (*1*) for the words "other officer duly authorised," the words "such other officer not below the rank of a Deputy Collector as may be duly authorised" be substituted.

This, I think, will improve the context.

Mr. DEPUTY PRESIDENT: It is very difficult for me, Khan Bahadur, to conduct the proceedings unless I am supplied with copies of your amendments. Please supply me with a copy of your amendment, and then you move your amendment.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I quite agree to the justice of your remarks, but the difficulty is that I sent amendments of my own but the Hon'ble Minister has handed to me a copy revising my amendment, and I am simply moving it as I consider that it is better worded. I admit that I am responsible for this, but there are others who might have relieved the trouble.

(The honourable member then handed a copy of his amendment to the Chair.)

Mr. DEPUTY PRESIDENT: Amendment moved: that in clause 3 of the Bill, in sub-clause (*1*), for the words "other officer duly authorised" the words "such other officer not below the rank of a Deputy Collector as may be duly authorised" be substituted.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I am prepared to accept the amendment.

Mr. DEPUTY PRESIDENT: Order, order. The question before the House is: that in clause 3 of the Bill, in sub-clause (*1*), for the words "other officer duly authorised" the words "such other officer not below the rank of a Deputy Collector as may be duly authorised" be substituted.

(The amendment was agreed to.)

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I beg to move that in clause 3 of the Bill, in paragraph (*b*), for the words "other officer" in line 2, the words "the officer" be substituted.

Mr. DEPUTY PRESIDENT: Amendment moved: that in clause 3 of the Bill, in paragraph (*b*), for the words "other officer" in line 2, the words "the officer" be substituted.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I would submit that since the previous amendment has been accepted, this amendment is unnecessary or redundant.

Khan Bahadur NAZIRUDDIN AHMAD: In that case, Sir, I do not press for it but would withdraw my amendment.

Mr. DEPUTY PRESIDENT: Is it the desire of the House to grant the honourable member leave to withdraw his amendment?

(The amendment was then withdrawn by leave of the House.)

Mr. DEPUTY PRESIDENT: The question before the House is that clause 3, as amended, stand part of the Bill.

(The motion was agreed to.)

Title and Preamble.

Mr. DEPUTY PRESIDENT: The question before the House is that the Title and Preamble be added to the Bill.

(The motion was agreed to.)

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, I beg to move that the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945, as settled in the Council, be passed.

Mr. LALIT CHANDRA DAS: On a point of order, Sir. I think many bills have been passed this day here and when an amendment is accepted, the third reading of the Bill should be postponed till another day, according to our rules.

Mr. DEPUTY PRESIDENT: I do not think, Mr. Das, will press his point of order.

The question before the House is: that the Bengal Rent Recovery (Under-Tenures) Amendment Bill, 1945; as settled in the Council, be passed.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: Before I adjourn the House, I may request honourable members that in future they should be good enough to send notices of amendments to the office in time so that it may facilitate the easy and smooth business of the House. The House now stands adjourned till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Tuesday, the 6th March, 1945.

Members absent.

The following members were absent from the meeting held on the 5th March, 1945:—

(1) Rai Bahadur K. C. Banerjee.
(2) Mr. Hamidul Huq Chowdhury.
(3) Mr. Humayun Reza Chowdhury.
(4) Khan Bahadur Abdul Gofran.
(5) Mr. M. R. Jaipuria.
(6) Maulana Mohd. Akrum Khan.
(7) Mr. N. N. Moholanabish.
(8) Mr. N. N. Mookerjee.
(9) Mr. B. C. Dutta.
(10) Dr. K. S. Ray.
(11) Mr. S. N. Sanyal.
(12) Dr. K. Talukdar.
(13) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-2861A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 11.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 6th March, 1945, at 1-30 p.m., being the eleventh day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Condolence Resolution.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It is my melancholy duty, Sir, to rise for moving a condolence resolution in connection with the death of one of our ex-members of great personality and talents, Khan Bahadur Maulvi Abdul Karim. I should like to read out the resolution which I propose to move, namely:—

"This Council records its deep sense of sorrow and loss at the demise of Khan Bahadur Maulvi Abdul Karim, an ex-Minister of the Government of Bengal and an ex-Leader of the Council, who was an eminent lawyer, a prominent personality and a polished gentleman of talents.

Sir, the Khan Bahadur was in failing health for more than a year, but suddenly his illness took a bad turn and he expired on 1st March last.

Sir, Maulvi Abdul Karim joined the Bar in the beginning of the century, when there were very few Muslim lawyers in Bengal. He had to struggle hard in the beginning of his career but within a short time he established his reputation as a talented lawyer. He was at his best while arguing for defence and people used to flock in the courts to hear his argument. He had a good command over the English language and could express his thoughts in such a way that it was an intellectual treat to hear speeches. But, Sir, he had no greed for money and he never cared to earn with a view to lay by something for the future. He was a man who had implicit trust in Allah and so in spite of his being a prominent lawyer he was not a rich man at all. He was outwardly austere but he had a very kind heart within and those who were intimate with him knew this. His loss is a personal loss to me.

There were occasions when we could not see eye to eye with him in political matters, but it cannot be denied that he was a man gifted with many qualities of head and heart. He was the District Board Chairman of Tippera for about 5 years and was elected a member of the Council of State where he soon made his mark and in consequence was included in the panel of Chairmen

He was a man of great personality and talents and by dint of his personality rose to the position of the Leader of the House. May his soul rest in peace! I would now commend the resolution to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Resolution moved: That this Council records its deep sense of sorrow and loss at the demise of Khan Bahadur Maulvi Abdul Karim, ex-Minister of the Government of Bengal and an ex-Leader of the Council, who was an eminent lawyer, a prominent personality and a polished gentleman of talents.

Mr. KAMINI KUMAR DUTTA: Sir, on behalf of my Party, I associate myself whole-heartedly with the sentiments expressed by the mover

of the resolution. I had occasion to know the late Khan Bahadur not only as a member of this House, but also as a member of the same Bar Association for a very long time. I worked with him also as a member of the municipality in my own district town and as a member of the District Board. I fully agree with the Hon'ble the Leader of the House that one of the main traits of his character was that he had no meanness. His heart was big and his views were very wide. From my personal experience of his work in various spheres of public life, I can say that the late Khan Bahadur was absolutely non-communal in his views. Though he was an efficient lawyer having enjoyed a leading position in our part of the country in the profession, he did not pile up money at all, because he never hankered after money. I really feel his bereavement and great loss. I again say that I fully support the resolution.

Mr. LALIT CHANDRA DAS: Mr. Deputy President, Sir, I desire to support the resolution which has been moved by the Hon'ble the Leader of the House. I associate myself with everything that has fallen from the lips of the previous speakers. I was also intimately known to the late Khan Bahadur, as I have the honour to belong to the same Bar. The most prominent trait in his character was that he was non-communal. He stood always for unity between the Hindus and Mussalmans. His death at such a time is a grievous loss to the country. All that I can add to what has already been stated is that this House should now be adjourned as a mark of respect to the memory of the late Khan Bahadur, without transacting any business.

Mr. HUMAYUN KABIR: Sir, I beg to associate myself with the resolution which has been moved by the Hon'ble the Leader of the House. My acquaintance with the late Maulvi Abdul Karim dates back to 1937. It was in this Council that I first met him and the thing that struck me at the very first acquaintance was the generosity of his heart. I think members of the House who have been here since the beginning know that the Presidentship of this Council was within his grasp. He had been selected as the candidate of the Party which had the majority and yet he stood down in favour of our late Hon'ble President, as he felt that the election of a Muslim as a Speaker of the Lower House demanded that in fairness the President of the Council should be a Hindu. We generally find people running after small loaves and fishes of office, but in the case of the late Khan Bahadur Abdul Karim we find that he was a man who did not run after office; he was a man to whom office came unsought. He had a rough exterior at times, sometimes his language—as honourable members of this House will remember with regret, for they will hear him no more—was sharp, when he wanted he could be sarcastic; but every one who came in contact with him knew that he had a golden heart behind a rough appearance. He was one of Nature's own gentlemen and treated others in the way in which he expected others to treat him. To-day we are losing men of that type in Bengal. In this grave crisis which faces Bengal, men of his ripe experience and wisdom are very much wanted. We find knowledge and understanding among many people, but wisdom is a thing which is very difficult to find. Not only this House but the Province as a whole is poorer to-day by his death. May his soul rest in peace!

Mr. HARIDAS MAJUMDAR: Mr. Deputy President, Sir, on behalf of my party, I fully support the resolution so ably moved by the Leader of the House. As far as I can gather from the speeches of my friends who have already spoken, we have lost a really God-fearing man. He was really a servant of the society. He could defer his claim to the Presidential Chair in favour of others, and such a self-sacrificing man is very rare in our midst to-day. Though I had not the good fortune to work with him

in this Council, yet as far as I understand from the Hon'ble the Leader of the House, he was really a man who loved his country and his community. With these words, I again fully support this resolution.

Mr. R. S. PURSSELL: Mr. Deputy President, Sir, on behalf of this group I rise to support the resolution that has been proposed by the Hon'ble Leader of the House. The deceased Khan Bahadur Abdul Karim has left a wonderful record behind him of generosity, of being a hard fighter and of having sincerity of purpose for which people respected him. We very much deplore his sad passing and we hope the Council will send a message of sympathy to his relatives who have been so sadly bereaved.

Khan Bahadur NAZIRUDDIN AHMAD: Mr. Deputy President, Sir, I also desire to be associated with this solemn occasion. The late Khan Bahadur loved his associates like his younger brothers. It has been truly said by Mr. Kabir that he was a magnanimous gentleman. He had something of the old-world simplicity and grandeur about him. When he desired, as has been mentioned by some speaker, he could rise to the highest flights of eloquence. His obvious sincerity of purposes struck everybody. Whenever he spoke, he gave proof of his wide knowledge of the English literature. It is not the time to give a catalogue of his good qualities. I must cut short and give up the desire to speak on his many qualities of head and heart. With these few words, I humbly wish to associate myself with the resolution before the House. I desire that, as usual, a copy of to-day's proceedings should be sent to the members of the bereaved family. Further, as he was not merely a Minister but, what is more important, also the Leader of the House for some time, so though not a sitting member, yet on account of the unique position which he held in this House, I suggest that the House may be adjourned as a mark of respect to his memory.

Mr. NUR AHMED: Mr. Deputy President, with a heavy heart I rise to associate myself with the resolution which has been so ably moved by the honourable the Leader of the House. It is a great personal loss to me. I was associated with his public life for several years and I had always found him to be a gentleman of the first water, a man of sterling independence of character, a man who never knew how to mince matters. He was a thoroughly outspoken gentleman and he was a great friend of his country, specially of the great Moslem community or nation. He was very large-hearted in his hospitality and though he had earned much during his lifetime, he also spent much on public charities. He was a perfect master of the English language, and it was with great admiration that we used to hear his speeches in the Council. He acquired a great reputation as an eminent lawyer. Indeed, his reputation as a lawyer had spread far and wide. He possessed many virtues of head and the heart and it is a great loss to us that he should have left us at this hour. With these few words, I fully associate myself with the resolution.

Mr. DEPUTY PRESIDENT: Before I put the resolution before the House, I would like to associate myself whole-heartedly with the sentiments of profound sorrow expressed by the honourable members representing different sections in this House on the death of Khan Bahadur Abdul Karim who was till lately a Minister of the Government of Bengal and also Leader of the Council.

Born in an ancient and respectable Muslim family belonging to the district of Mymensingh, the late Khan Bahadur graduated at a time when English education was availed of by very few members of the Muslim community. Shortly after graduation, he was offered the post of a Deputy Magistrate and Collector which in those days was regarded as one of the prize posts for a Bengalee youth. But he preferred not to follow the beaten track and be tied to the chariot wheel of bureaucratic administration. Instead, he decided to join the Bar so as to get ampler opportunities of

devoting his talents to the service of his country and community. And this noble ideal of his he had implemented with considerable distinction in the course of his public life extending over four decades, through his activities as the Public Prosecutor, as the Chairman of the District Board of Tippera, as a member of the Council of State and also as an Education Minister of this province.

The most remarkable feature of the late Khan Bahadur's public life was his transparent honesty and sincerity. He possessed a very loving and affectionate heart for his colleagues who will long remember the wit and humour with which he used to enliven his speeches in the legislature. Personally, I have lost in him one of my best well-wishers to whom I used to look to for advice and guidance in many of my personal affairs.

His death is a great loss to me. May his soul rest in peace!

As a token of respect to the memory of the departed soul, I would ask you, gentlemen and ladies, to rise in your places.

(Hon'ble members rose in their places.)

Thank you. It will now be my duty to see that the message of condolence together with the speeches made by different honourable members are forwarded to the bereaved family.

Now, as regards the proposal of the honourable members to adjourn the House without transacting any business, I regret to say that I find some difficulty in complying as today's business has been fixed by His Excellency for the discussion of the Supplementary Budget. I shall, however, be very glad to adjourn the House if the Hon'ble Leader of the House is agreeable to it.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The necessary permission will be obtained from His Excellency and the House may now be adjourned. Tomorrow the Supplementary Budget will be discussed.

Mr. DEPUTY PRESIDENT: The House stands adjourned till 1-30 p.m. tomorrow

Adjournment.

The Council then adjourned till 1-30 p.m. on Wednesday, the 7th March, 1945.

Members absent.

The following members were absent from the meeting held on the 6th March, 1945:—

(1) Rai Bahadur K. C. Banerjee.
(2) Mr. Hamidul Huq Chowdhury.
(3) Mr. Humayun Reza Chowdhury.
(4) Khan Bahadur Abdul Gofran.
(5) Mr. J. S. Graham.
(6) Mr. M. R. Jaipuria.
(7) Maulana Mohd. Akram Khan.
(8) Mr. N. N. Moholanabish.
(9) Khan Bahadur M. A. Momin.
(10) Mr. N. N. Mookerjee.
(11) Dr. K. S. Ray.
(12) Mr. Yakub H. S. Sattar.
(13) The Hon'ble Sir B. P. Singh Roy.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 12.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 7th March, 1945, at 1-30 p.m., being the twelfth day of the First Session of 1945, pursuant to section 62(2) (*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

QUESTIONS AND ANSWERS

Employees of the Education Department on extension of service.

50. Mr. DHIRENDRA LAL BARUA (on behalf of Mr. Yacoob H. S. Sattar): Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) what is the total number of employees who are still working in the Education Department, on extensions granted to them after the due date of their retirement;

(*b*) what is the total number of such Muslim employees;

(*c*) what is the total number of employees re-appointed after their retirement in the Education Department except in the office of the Commissioner of Wakfs, Bengal; and

(*d*) what is the total number of such Muslim employees?

Mr. K. C. ROY CHOWDHURY (on behalf of the Hon'ble Mr. Tamizuddin Khan): (*a*) Nineteen.

(*b*) Five.

(*c*) Three.

(*d*) One.

Free-studentship for Muslim students.

51. Mr. DHIRENDRA LAL BARUA (on behalf of Mr. Yacoob H. S. Sattar): Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether there is any Government order regarding reservation of general free-studentships available in the Government and the Government-aided schools and colleges in Bengal for Muslim students;

(*b*) if so, what is the limit; and

(*c*) whether there is any Government order saying that heads of the institutions in Bengal are required to publish in their advertisements for admission the available number of general free-studentships for Muslim students?

Mr. K. C. ROY CHOWDHURY (on behalf of the Hon'ble Mr. Tamizuddin Khan). (*a*) and (*c*) No.

(*b*) Does not arise.

Faridpur School Board.

52. Mr. HARIDAS MAJUMDAR (in behalf of Mr. Humayun Kabir): Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) when the election of the Faridpur School Board was last held;

(*b*) the reasons for not holding the elections in due course;

(*c*) whether any announcement was once made but cancelled regarding the date of elections;

(*d*) if it is a fact that the elections have now been announced to be held on the 31st October, 1944;

(*e*) if it is a fact that dates for nomination of candidates have been fixed and already passed;

(*f*) if it is a fact that candidates have been returned uncontested from the Rajpore subdivision;

(*g*) if the Government have any intention to postpone the said election?

Mr. K. C. ROY CHOWDHURY (on behalf of the Hon'ble Mr. Tamizuddin Khan): (*a*) In August, 1938.

(*b*) Local inconvenience.

(*c*) Yes.

(*d*) Yes, but later on orders were issued for the holding of the elections by the Union Boards, etc., by the 31st January, 1945, and by the District Board by the 12th February, 1945.

(*e*) Yes, fresh dates were fixed.

(*f*) and (*g*) No.

Mr. NAGENDRA NATH MAHALANOBISH: What is the sort of local inconvenience?

Mr. K. C. ROY CHOWDHURY: The local authorities wanted postponement of this selection.

Financial strain felt by the staff of the Council Department.

53. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) if he is aware that the clerical and the menial staff attached to the Bengal Legislative Council have been feeling great financial strain owing to the continued economic disruption caused by the abnormal rise in prices of foodstuffs and other necessaries of life; and

(*b*) if so, what steps the Government propose to take to relieve the distress of these employees?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) The abnormal rise in prices of foodstuffs and other necessaries of life has naturally imposed a financial strain on all persons with fixed income.

(*b*) Steps have already been taken to afford relief by granting house rent and dearness allowances and by permitting them to buy foodstuffs at concession rates.

Mr. HARIDAS MAJUMDAR: What further relief, if any, Government propose to render to these hard-worked employees of the Legislature?

Mr. K. C. ROY CHOWDHURY: None at present.

Mr. HARIDAS MAJUMDAR: What is the date of the relief referred to in reply, namely, house rent, etc.?

Mr. K. C. ROY CHOWDHURY: I want notice.

Class and other industries.

54. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state—

(*a*) what measures have been taken by Government of Bengal to encourage and help expansion and improvement of the glass factories, coir-making, hand-paper making, handloom weaving, net-making and other cottage and small industries in Bengal;

(*b*) how much money was granted by the Government as (*i*) loan, and (*ii*) subsidy or otherwise during the years, 1940-41, 1941-42, 1942-43, 1943-44 and up to 30th September, 1944, in Bengal to help these industries; and

(*c*) what were the respective amounts granted to each of these industries?

MINISTER in charge of the COMMERCE, LABOUR and INDUSTRIES DEPARTMENT (the Hon'ble Mr. K. Shahabuddin): (*a*) The honourable member is referred to the Annual Administration Reports of the Industries Department for the years 1940-41, 1941-42, 1942-43 and 1943-44, copies of which are placed in Library.

(*b*) and (*c*) A statement is placed in the Library.

Short-notice question.

54A. Mr. HARIDAS MAJUMDAR: Sir, with reference to the security prisoner Sj. Aswini Kumar Gupta, will the Hon'ble Minister be pleased to say what maintenance allowance, if any, is paid to the family of this detenu?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit, Sir, that this question does not arise out of this question, and I ask for notice.

Mr. HARIDAS MAJUMDAR: With reference to the same detenu will the Hon'ble Minister please state if it is a fact that seven ribs of that detenu have been taken out, and one lung has been made inactive and dead in course of his treatment of T. B.?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state if it is a fact, with reference to the same detenu, that the Government is advised by a competent doctor that he should be taken outside jail to a better atmosphere for further treatment?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes.

Mr. HARIDAS MAJUMDAR: What steps do the Government propose to take to transfer him?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will refer the honourable member to the statement laid in the library table.

Mr. HARIDAS MAJUMDAR: Do Government propose to release this detenu on grounds of his present condition of health?

The Hon'ble Khwaja Sir NAZIMUDDIN: Not at present.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pelased to state what is the present stage of health of Miss Kamala Das Gupta? Is she still suffering from T. B.? Do the Government consider the desirability of transferring her to a sanatorium?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not a question of sanatorium. It is a question of special treatment which requires an operation which she is not willing to undergo unless she is released.

Mr. LALIT CHANDRA DAS: Will Government consider the desirability of releasing her at once?

The Hon'ble Khwaja Sir NAZIMUDDIN: Well, I may tell the honourable member that it is not possible just at present.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state the amount of allowance granted to the families of different detenus mentioned in this question?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit, Sir, that this question does not arise; and even if it arises I ask for notice.

Adjournment Motion.

Mr. DEPUTY PRESIDENT: Questions over. I have received notice of an adjournment motion from Mr. Haridas Majumdar who wants to move that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the failure of the Government of Bengal to distribute properly the cloth quota of the Province which, as revealed now, exceeded the quota due thus causing a severe cloth famine in Bengal.

Mr. HARIDAS MAJUMDAR: Sir, I beg to move——

Mr. DEPUTY PRESIDENT: Well, Mr. Majumdar, you know that you cannot move your adjournment motion before it has been admitted.

Mr. HARIDAS MAJUMDAR: I am not moving my motion exactly; but I——.

Mr. DEPUTY PRESIDENT: In this connection, I would like to mention certain facts which require clarification. A few days ago Mr. Lalit Chandra Das moved a similar motion which was not very happily worded. In the course of his speech, Mr. Das explained that he proposed to refer only to the question of distribution and not of supply and in view of that fact I gave my consent to the motion being discussed. The House, however, refused leave to Mr. Das to move the motion and so it could not be discussed. But before I admit your motion, I want to know what new circumstances have arisen on which your motion may be allowed to be discussed.

Mr. HARIDAS MAJUMDAR: Firstly, Sir, this problem was not discussed then in this House and the facts which were not known to us then are these: that during the five months ended November 30th, 1944, Bengal received for civilian consumption 0·4 of mill cloths per head more than any other part of India——

Mr. DEPUTY PRESIDENT: Mr. Majumdar, you need not make a lengthy statement.

Mr. HARIDAS MAJUMDAR: I am not making a lengthy statement, Sir, but I am stating the facts.

Mr. DEPUTY PRESIDENT: But what are the new circumstances?

Mr. HARIDAS MAJUMDAR: The new circumstances are these: Only the day before yesterday a statement appeared in various newspapers that more than 13·9 yards of cloth per head have been practically in possession of the Bengal Government for distribution in this province and that in spite

of this,—this is a revelation to us, for we were told that we were not given the quota of cloth that was allotted to us,—there is this shortage. Therefore, in the light of these facts——

Mr. HAMIDUL HUQ CHOWDHURY: May I enquire whether the statement that has appeared in the Press to the effect that there has been a greater quantity of cloth in the hands of the Bengal Government is correct?

Mr. DEPUTY PRESIDENT: Has the honourable member got the leave of the House to move his adjournment motion?

The Hon'ble Khwaja Sir NAZIMUDDIN: I object to leave being given.

Mr. DEPUTY PRESIDENT: As objection has been raised, I would request those honourable members who are in favour of the motion being moved to rise in their places——

Mr. HARIDAS MAJUMDAR: It may be, Sir, that the Chief Minister objects but I think that in the interest of the reputation of the Government they themselves should come forward with a statement on this important matter and not take shelter under the rules.

Mr. DEPUTY PRESIDENT: Mr. Majumdar, it becomes very difficult to conduct the proceedings if you do not conform to the rules.

Mr. HARIDAS MAJUMDAR: Sir, what I am submitting is that it is a very urgent matter——

Mr. DEPUTY PRESIDENT: I have admitted your motion; but as there has been an objection——

Mr. HARIDAS MAJUMDAR: I do not now press my motion, but let the Government make a statement on this matter.

Mr. DEPUTY PRESIDENT: I have heard you. Please resume your seat; let me see how many members rise in their places.

(Honourable members rose in their places.)

As less than 13 members have risen in their places, I take it that the honourable member has not the leave of the House.

But in this connection, I would like to point out to the Government that this is a very important matter. It is admitted on all hands that the country is passing through a cloth famine at the present moment. As a matter of fact, this problem has become more acute than the famine of food, and in a matter like this if the Government can see their way to set apart a full day for the discussion of this subject as a special motion, then I think that will be much appreciated by the House. At any rate, a statement from the Government would also be very welcome.

The Hon'ble Khwaja Sir NAZIMUDDIN: I may inform the House that as soon as the Hon'ble Mr. Suhrawardy saw this paragraph in the newspapers, which I am informed has not issued from any authentic source but which is supposed by some honourable members to be so, he asked his department to enquire as to how far the information was correct. As far as your suggestion about a statement is concerned, Sir, we will consider that suggestion.

Mr. BANKIM CHANDRA MUKHERJEE: Do we understand that the objection of the Home Minister was due to the fact that they have not got correct figures or correct information about the statement made by Sir

Azizul Haque in the Central Assembly? The statement in the Press discloses a very woeful tale—a woman commits suicide for she has no cloth! This, Sir, cannot be imagined in any part of the world except in this province——

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, it is entirely out of order. The honourable member is speaking about the adjournment motion. I think he has no business to stand up and speak about this after the House has refused leave for the adjournment motion being moved.

Mr. HARIDAS MAJUMDAR: Sir, am I to understand that the Chief Minister is going to make a statement on the subject because otherwise we shall have to put in a short-notice question in the matter.

Mr. DEPUTY PRESIDENT: The Hon'ble Chief Minister has already stated that this question is being examined by the Hon'ble Minister concerned and if he finds that the statement alleged to have been made by the Commerce Member of the Government of India is incorrect, he will make a statement. Also that, if necessary, a day would be set apart for a full-fledged debate on the subject as a special motion——

The Hon'ble Khwaja Sir NAZIMUDDIN: That is, Sir, only because you suggested that——

Mr. BANKIM CHANDRA MUKHERJEE: We do not bring in adjournment motion for censure on the Government but for eliciting information.

Mr. DEPUTY PRESIDENT: We will now take up discussion of the Supplementary Budget.

The Hon'ble Khwaja Sir NAZIMUDDIN: Before you take up the Supplementary Budget, I have got to give notice of a Bill.

Mr. DEPUTY PRESIDENT: Yes.

The Hon'ble Khwaja Sir NAZIMUDDIN: I beg to give notice that in the current session of the Bengal Legislative Council I shall move that the Criminal Procedure (Bengal Amendment) Bill, 1945, be taken into consideration and passed as settled in the Council.

Sir, I would like to take it up sometime on Tuesday next.

Mr. HARIDAS MAJUMDAR: It is not on the agenda of today.

Mr. DEPUTY PRESIDENT: It is a formal thing. Those Hon'ble Ministers who are not members of this House can give notice on the floor of this House.

Mr. LALIT CHANDRA DAS: But certain date must be given to us for submitting our amendments.

Mr. DEPUTY PRESIDENT: Yes.

Discussion of the Supplementary Estimates.

Mr. HARIDAS MAJUMDAR: Sir, the presentation of the Supplementary Estimate amounting to more than Rs. 65 crores after the expenditure has been incurred in most cases is, to say the least, farcical. We had an unusually long session last time and it would have been in the fitness of things if these estimates came up before us as and when occasions arose. On a casual reference to the budget of 1935-36, Sir, I find that side by side with the originally budgeted figures those of the supplementary grants occur, which proves that these must have been placed before and sanctioned by the Legislature. The same method was followed in the budget of 1936-37 as well as in that presented by Mr. Nalini Ranjan Sarker for 1937-38. The Ministry could very well conform to the generally accepted

standard of all countries. The present procedure distracts the attention of the Legislature which, attacked from two different points, cannot do justice to either. Besides the grand procession of figures totalling 210 crores, 65 crores may look a pigmy but are actually five times as tall as the figure of 1910-11, the last pre-Reform year.

Coming to the items of the estimate we find that under Agriculture a sum of Rs. 4 lakhs 33 thousands occurs on account of Grand-in-aid, contribution, etc. The explanatory memorandum says that the increase is due to larger contribution to the Indian Statistical Institute for the random sample survey of jute, *aus* and *aman* paddy. This is almost equal to the budget estimate of 1944-45 which was 4 lakhs 47 thousands. This Government has a fatal genius for misplaced energy. While we wanted a census of the destitutes and the unemployed, the Hon'ble Revenue Minister evaded the issue on the ground of lack of a suitable definition of the word "unemployed", as if England and other countries had not framed a definition and disbursed large sums of money on that basis for years. This census could be undertaken at a small expense by the employment of existing agencies and was badly needed for bringing succour to the most indigent section of a famine-ridden population. No scheme of rehabilitation can be effectively put into operation without these figures. But instead of collecting these urgently required data necessary for safeguarding the proper use of huge sums already being spent by way of monetary gift or distribution of blankets, clothes, yarn, etc., the Government hits upon the plan of compiling crop statistics. Now this matter of survey is not of such an emergent character as could not be foreseen and must be taken up immediately to avoid calamity. The estimate under this head in the budget of 1945-46 is 7·65 thousands. The actual for 1943-44 is 4 lakhs 53 thousands 311. It is clear, therefore, that expenditure for this work takes place from year to year. The Finance Minister in his statement says that the work of random sampling will cost 7 lakhs per annum. This is in addition to a sum of 23 lakhs per annum for "collection and compilation, by a plot to plot enumeration, of agricultural statistics for *aus*, *aman* and *rabi* crops from year to year." Now this is pure research work necessary for long range planning. Bengal is now on the point of death as the statistics quoted in my budget speech go to show. According to Government reports the number of deaths in 1944 was 90 per cent. of that of the fateful year 1943 and 50 per cent. higher than that of a normal pre-famine year, say 1939. This continuation of tragedy, proved by the acid test of death but non-existing in Government parlance, has been in a large measure due to the vicious circle of famine leading to taxation and taxation leading to malnutrition which is but another name for famine. The doubling of the sales tax on necessary things of life, such as school books, its imposition for the first time on handloom cloth, the agricultural income-tax netting in even poor farmers whose income in pre-war money does not exceed Rs. 80 per month, the steam-roller excise policy of the Government bringing on the fabulous amount of 6 crores 38 lakhs and 11 thousands in 1944-45 as compared with only 2 crores 53 lakhs and 65 thousands in 1942-43 and thus reducing to penury the wives and children of drunkards and opium-eaters who, as may not be unknown to our Ministers, are the most selfish beings—all these produce the cumulative effect of dire poverty and malnutrition for the poor and the lower middle classes which fall an easy prey to disease and consequent death.

The need of the hour is drastic economy in the affairs of our provincial administration and not promotion of haphazard research schemes of this type which if at all given effect to may produce results only at a distant date. The revenue collected within the Province exclusive of contributions from the Central Government totalled 23 crores 71 lakhs and 55 thousands in 1943-44, 28 crores 61 lakhs and 9 thousands in 1944-45 and is expected to be 28 crores 75 lakhs and 59 thousands in 1945-46. These mounting figures always beating the previous record compare very unfavourably with

about 6½ crores in 1910-11, and 16 crores 49 lakhs and 83 thousands in 1942-43. Thus, in 3 years the burden of taxation increases from 16½ crores to 28¾ crores, i.e., by 75 per cent. It is apprehended that in another year 100 per cent. will be reached. Income-tax falling within the jurisdiction of the Central Government, the Provincial Government,—unless it designs scientifically the sales tax making it higher on luxury articles than on necessaries and also the amusement tax making it as much as will not yield a diminishing return,—can only tax the masses which in days of famine and malnutrition need relief most. Renouned economists like Ramesh Chandra Dutta have clearly stated that in a poor country like India the best way of helping the masses is to reduce the burden of taxation falling upon them. There is a limit of taxability beyond which even highly beneficial measures ably administered are not only useless but positively harmful. That limit has long been reached in Bnegal—not in the regime of the present Ministry but when the much-vaunted Provincial Autonomy of the Government of India Act was introduced here at collosal expenditure of the tax-payer. This hydra-headed monster, born of the loins of Sir Samuel Hoare, grows on what it feeds and has now assumed serious proportions both in bulk and height and bids fair to suck up the entire juice of a poor province preponderantly agricultural. There are ample facilities within the Act for a Governor to make a Ministry after his heart in a 50:50 province and it is in the interest of Amery-Churchill & Co. to maintain this camouflage and show to America that democracy is working in so many provinces. Whitehall dictates to Delhi and Delhi dictates to Calcutta that the present Ministry, however wasteful, must be maintained. That is why in spite of occasional reprimands of bottomless pits, non-indent of wagons, expenditure of large sums without vouchers, the Central Government, controlled by an astute Finance Member, spares the rod and spoils the child. We the poor people of Bengal shall be very glad if the Ministry will reduce the figure of revenue collected within the province to at least what it was in 1937-38 and ask the Centre to pay the difference. Huge sums are being spent in America for anti-Indian and pro-British propaganda and this Bengal waste should more properly be debited to that account. The Finance Minister is jubilant that the Centre has agreed to be a partner in the loss of the trading operations of the Civil Supplies Department here and thus confirmed the accounts. I can tell him in confidence that if he can play his cards well, the Centre will wipe out all accumulated deficits as it did at the time of Niemeyer Award. Why not then spare the famine-stricken Bengalees?

Compilation of crop statistics at an annual cost of 30 lakhs cannot produce any good unless necessary measures are adopted. But the Ministry as it is now constituted cannot do anything of the sort. The chief means of increasing rice cultivation is to reduce jute acreage and bring the released land under paddy. How the first League Ministry doubled the acreage of jute when imports of rice from Burma could not be expected, how the succeeding Coalition Ministry disregarded the requests in the Press of undoing this wrong and how the present Ministry has been maintaining jute acreage at the same figure which was denounced by Sir Shafaat Ahmed Khan as being a contributory cause of the famine, have been described by me here. The statistics of Burma imports have always been available. Why could not then action be taken on them to prevent the famine which economists using those very data forecast 13 months before it broke out? The Finance Minister after joining the Cabinet said at Krishnagar that prices would go down and there would be no famine. So if people died of starvation in the past and are dying of semi-starvation now, it is not because of any dearth of statistics. To relieve, therefore, the Bengal tax-payers of the sum of 30 lakhs of rupees every year is simply ignoble.

What, Sir, is the real motive of this project of crop statistics? Who is likely to benefit from it ultimately? The Finance Minister's statement specifically mentions jute, *aus* and *aman* paddy. Those who have watched

the progress of agriculture of this province for some years have noted the concern of the British jute mill interests in Clive Street for lack of reliable jute statistics. In 1925-26 the price of jute soared up to Rs. 25 per maund, the highest rate in the history of the jute crop, because there was a mistake in the jute forecast giving a much lower figure than what was actually grown. The market after some months, when the grower had made money, collapsed and there was a hue and cry raised by the jute mill interests for a correct jute forecast based on accurate crop statistics. The Government subsequently became more careful but the standard of accuracy attained still does not conform to the desire of the mill interests. A renowned firm of European jute brokers maintains its own register of crop statistics and issues bulletins from time to time at considerable expenditure. If Government be persuaded to undertake the job, it will be perfectly done and at the cost of the Bengalee tax-payer who has, so to speak, neither father nor mother. Now the proposal of compiling jute statistics alone lacks grace so that the need of statistics of *aus* and *aman* paddy and *rabi* crops is blazoned forth and jute is added on to it at last, in the same manner as the last two lines of a sonnet are the most important. We remember that during the famine the British-controlled Press in Calcutta emphasised again and again in the need of accurate crop statistics.

Under "Agriculture" and under the sub-heading "Other charges—Cost of jute regulation under the Jute Regulation Act, 1940", a sum of Rs. 25 crores 99 lakhs occurs. The figure might easily be 26 crores since Governmentএর হাজারে বাজার নেই, i.e., it feels no scruples for thousands. In my budget speech, I explained the futility of all such expenditure in view of the fact that the Government fixes for crop restriction such acreage as the grower will never exceed out of sheer common sense. If the Ministry cannot disoblige mill interests, it should abolish the jute regulation scheme altogether or reduce its expenditure to a nominal figure. That will be a straight-forward, honest course. After the publication of the Government communique fixing acreage at eight annas of the basic acreage of 1940, a controversy arose as to what these eight annas related to. The "registered" acreage under the Bengal Jute Regulation (Amendment) Act amounted to 53 lakhs 99 thousand acres. The "recorded" acreage in 1940 amounted to 49 lakhs 38 thousand acres. The *Capital*, the organ of the British mercantile community, wrote on the 22nd February that "an explanation is due to the trade" and "the difference might be quite important". Such keen watchfulness and readiness for fighting like a tiger to protect the Jute-mill interests, however small, might do honour to a jurist like my friend Mr. Naziruddin Ahmad whose "comma" has made history. In the next issue the *Capital* writes that it has been officially informed that eight annas refer to the larger figure. This is eminently convenient for the Ministry. But last year it decided on the self-same figure of eight annas, and the area licensed was recorded as 25 lakhs 63 thousand acres. To which of the two figures does this approximate more? Eight annas, *i.e.*, half of the larger figure is 26 lakhs 99 thousand 500; while that of the smaller is 24 lakhs 69 thousand. Now, the distance between the actual of last year and half of the larger figure is one lakh 36 thousand 500 while that in the other case is only 94 thousand. It is now crystal clear that last year the Government tried to carry into effect the lower figure of 1940 and any difference that was noticed was due to inevitable deviation in concretising any plan on paper. This year under the pressure of the mill interest, the Government has shifted their ground and fixed as the target the larger figure. The speed and alacrity with which it responds to the demand of the *Capital* has also been noted. The question now arises—who rules Bengal? The Ministry or Clive Street? History records that an attempt to stop the undue advantage of British merchants in Bengal by Mir Kasim who was described by Bankimchandra as বাংলার শেষ স্বাধীন নৃপতি, the last independent king of Bengal, cost him his throne. This was in 1764. Has this state of things

changed a bit in 180 years? It is no unworthy ideal for a Moslem League Ministry to do justice to the Moslem jute-grower or perish in the attempt. This is an issue which can never be solved unless Hindus and Moslems, the children of the soil, unite and once this unity is achieved, a new Bengal will arise that will lead India as of yore. The attempt is worth while in view of the annual loss of at least 40 crores of rupees of the jute-grower in these hard days. It is my firm conviction, as I have told this House more than once, that even a hundred per cent. British rule cannot shamelessly side with the British merchants to the same extent as the successive League Ministries have subserviently done. I wish I had the pen of a writer in the Strand Magazine who has written an illuminating article on "Wheat as a factor in the world politics". "Jute as a factor in Bengal politics" would form an excellent caption of a similar article. The President of the Indian Jute Mills Association has recently stated that we attributed *fabulous* profits to the mills. But this very adjective was used some time ago by a Briton, the Right Hon'ble T. Shaw, M.P., in speaking of the profits of jute mills on the Hooghly. Under the heading "Fabulous Profits" he writes:—

"When Johstone and Sime for the Scottish Jute Worker, investigated conditions in Calcutta, the mills were running short time. One of the most sensational parts of the report to which I have referred deals with the profits that were made between 1915 and 1924. The Scotsmen estimate that in ten years profits to the share-holders amount to 300 million pounds equivalent to 90 per cent. per year on the capital. The most surprising thing, however, is the estimate that a profit of 300 millions for 300 thousand workers in the trade means obviously £100 per worker profit. The average wage was said to be about £12 10s. per year. Johnstone and Sime estimate that the average amount of profit is 8 times as much as the Wages Bill. It is a fact that effective management still rests in the hands of Britons—mainly Scotsmen. * * * To put it mildly the fact of the matter is that human beings are too cheap in India * * how criminally cheap is human flesh and blood."

Under the head "Agricultural Demonstration and Propaganda" including Public Exhibitions and Fair, we find a sum of 55 lakhs 52 thousands meant for seeds. The death of an agriculturist Manmatha Majhi of village Jyotmadhab, police-station Haripal, as the sequel to the rush of a crowd at the time of distribution of potato seeds at Sheoraphuli is still fresh in our memory. The sad event occurred on the 17th November last and the Government should inform the House whether adequate compensation has been paid to the relatives of the deceased who laid down his life in an attempt to grow more food. It is hoped that maladministration will no longer mark the activities of the Government in such simple acts as distribution of seeds and cloths. The long queues for rice in the famine days in Calcutta were shameful as are the cloth queues now. As already stated by me, Bihar Government arranged 14 controlled rice shops for a population of 9,000 at Madhupore. The only remedy is to arrange an adequate number of shops for cloth as well as for seeds. The Government should not wait for more deaths to awaken them to a sense of responsibility. No sign of improvement in administration is forthcoming yet. If such be the state of things in Calcutta under the gaze of a powerful Press, the condition in villages can be better imagined than described. In this province men may come and men may go but inefficiency goes on for ever.

Under the same head, we find in the original budget Rs. 57,000 for construction of water-hyacinth barricade in Arial Bil. There is a reference to the barricade scheme in Finance Minister's statement too. The suggestion to put up enclosures or to barricade the water-hyacinth does not appear to be a practical proposition, particularly in view of the very peculiar and complicated life-history of the plant. The plant, as is well known by now, is propagated partly by seeds and partly by runners. Thus, when we consider the many and varied conditions in which the plant is able to establish itself in such places as the village tanks, road-side drains,

surface drainage channels and the like on the one hand, and in extensive lagoons and big *bil* areas, etc., it would be surely futile to attempt eradication by putting barricades. Different parts of the province are interconnected by rivers and *khals* and vast masses of water-hyacinth are carried down the mouths of big rivers from which the plants pass into various connected canals and smaller waterways and thus become distributed throughout the country. During high monsoon tide enclosures round the cultivated fields with straw ropes and strings to keep water-hyacinth away from the rice fields, etc., cannot be effective, inasmuch as these straw ropes and jute ropes rot away in no time. Floating bamboo fencing is definitely out of the question due to its cost and scarcity. Moreover, it is practically impossible to keep all the plants engaged and secluded within an enclosure because any residue of a single plant is sure to give rise to a serious infection to the whole area within a short space of time. Thousands of rupees are being spent annually in the Arial Bil area in the district of Dacca just to barricade the water-hyacinth off the paddy fields there with very unsatisfactory results inasmuch as these barricades very often give way to winds and storms and the whole paddy fields get reinfected in no time. Besides, it is not possible to put any effective check to the vast masses of water-hyacinth that are washed off by high monsoon floods and carried to the mouths of *khals* and smaller rivers. The navigable water-courses cannot also be disconnected by putting barricades as that would have the effect of interfering with natural and indispensable routes of internal communications.

Two things are important:—(1) In order that eradication may be permanent all the plants must be pulled out and destroyed completely; otherwise a single plant or a seedling if left behind unobserved will create great mischief and also undo all work, including the cost and trouble of putting barricades. (2) The work must proceed under expert guidance and proper supervision and action must be prompt and simultaneous. Barricades will never check or minimise the possibilities of the spread and rapid propagation of this pest but this will find its way back to the water-courses and become distributed all over in no time.

It is desirable that contiguous provinces like Bihar and Orissa, Bengal and Assam should co-operate in the adoption of a simultaneous drive to eradicate the pest, as these provinces are interconnected by big rivers and various other water-courses. Water communications of Bengal, particularly of Eastern Bengal, have been totally paralysed and to barricade the whole of the waterways of Bengal is an impossible and unpractical suggestion. Sir Albert Howard, C.I.E., a world authority on agriculture, who spent a lifetime in the study of Indian agriculture and is a Fellow of the Imperial College of Science, observes: "A very important source of vegetable matter for this compost is now unused. It is the vast supply of water-hyacinth, which is so common in the deltas of the great Indian rivers and which can be had for the small cost and trouble of collection. The water-hyacinth has, up to the present, been regarded as a pest to be destroyed. In reality it is nothing of the kind but a Heaven-sent gift of Providence to the Indian people. The water weed reduces the mosquito population responsible for malaria. It is an easy matter to collect this water weed after the rains on the banks of the streams and rivers and compost it with the help of cowdung and the urine impregnated earth on which the cattle and buffaloes are kept at night. The first successful experiments in composting water-hyacinth were carried out in a part of Barrackpore by Mr. E. F. Watson, O.B.E., the Superintendent of the Governor's Estates, Bengal. They were afterwards copied on a number of tea estates in Assam."

The Finance Minister has referred to the importation of experts from New Zealand and I only hope that this sudden love of our Ministry for New Zealand is not a case of trimming one's sail to the passing wind and will not change chamelion-like for other countries with the change of Governors. Foreign experts, unless they study thoroughly the condition of this country,

ill-suit poor Bengal. We are very often told by London journals that our sterling balances will be paid in British goods and services of British experts. For the post-war reconstruction of Britain this is a very salutary plan and all honour is due to the Bengal Government for paving in good time the path for such a happy consummation. In the matter of water-hyacinth, we have among us a Bengalee, Srijut Praphulla Kumar Bose of the Department of Botany, Calcutta University, who has studied the problem from A to Z and who is recognised to be the highest authority on the subject. He is not known to the Bengal Government. When the Government of His Exalted Highness the Nizam asked for the advice of the Government of Bengal in combating lotus evil, our Government had a note prepared by this gentleman and used it. Years ago when the water-hyacinth evil was still within limits, Srijut Bose advocaated in the pages of the *Modern Review* the system of towing the plants to sea-water which would kill them. This system has yielded satisfactory result in America——

Mr. DEPUTY PRESIDENT: May I know on which item you are now speaking?

Mr. HARIDAS MAJUMDAR: On Agriculture. Now, Sir, his advice was perhaps not accepted by the then Bengal Government and now the problem has become a gigantic one. I hope the services of this expert will be requisitioned without loss of time and he will not be kept at arm's length only because he is an Indian and not a Honolulu man.

Under Capital head 85A and Grant No. 35 has been included a sum of Rs. 2 crores 4 lakhs and 10 thousands for construction of boats. The Explanatory memorandum states that there was no provision for this scheme in the Budget. The Finance Minister's statement mentions that the scheme of building a fleet of 10 thousand boats with capacity to carry a cargo of 100 maunds and upwards had been adopted and that these will be newly constructed or purchased from outside the province. The provision on this account is 2 crores 38 lakhs in 1944-45 and 5½ crores in 1945-46. A total sum of 7 crores 88 lakhs is going to be spent for this purpose. Information reaches our ears—and it is for the Government to check whether it is correct or not—that 500 boats already constructed and paid for from the public exchequer at an expense of about Rs. 2,000 each, *i.e.*, a total sum of Rs. 10 lakhs, have been, after payment, found to be worthy neither of the Padma nor of the ordinary canals of the Province. These are alleged to have been made of the worthless wood of mango and such-like trees, painted and then passed. One Mr. Kovax, a Hungarian, formerly employed by a local British engineering firm Messrs. Britannia Engineering Co., on a salary of about Rs. 300 per month had been glorified into the position of an inspector entrusted with the task of testing the quality of these boats. He has now been, as I understand, absorbed by the Government of India on a salary of Rs. 2,000 per month. Our information is that he still passes our boats. The Government should make an explicit statement on this subject giving the academic and other qualifications of this person, if he still be in charge and further let us know whether in this sub-contient qualified and competent engineers are not available for safeguarding the interests of the tax-payer to the extent of nearly 8 crores. The reputation of engineering firms of this city like Messrs. Martin & Co. and Burn & Co. has spread all over the world and it is highly desirable that either of these firms should be appointed to test the quality of boats. Any remuneration, however high, for this purpose will be found to be economical in the long run. In the midst of crops of press-notes and advertisement, may I enquire if it is a fact that no tenders were invited in the daily press for this stupendous business of nearly 8 crores? I pause for a reply. In that case, firms just mentioned might themselves offer their services and the public might feel assured that their interests were safe in the hands of those who had got a reputation to lose. If legal bar does not exist, the question should be re-opened and tenders invited through the Press.

Sir, while on this subject I should like to enquire further if my information is correct that in the Department of Mr. Barada Prasanna Pain new contractors are being enlisted on payment of tip of Rs. 2,000 through a pleader of the Howrah Bar, who divides the spoils on a fifty fifty basis with Government people. The Government should further enlighten this House if it is a fact that a very much larger number of contractors has been enrolled during the present Minister's regime than in an equal space of time since the British rule was established in this country.

In the matter of milk and the prohibition of its conversion to "*chhana*", *sandesh, rasagolla,* ice-cream, etc., the Ministry, whenever pressed, states that the subject is under consideration and this has been going on for one year. A period of time which has been found sufficient for the Red Army to reconquer half of Europe has proved inadequate for our 13 Ministers and 18 Parliamentary Secretaries to arrive at a decision on this simple project. There is not a Bengalee booby who does not understand that this prolongation and keeping in suspense can be easily converted into King's coins. Dame rumour has it that rich sweetmeat merchants of this city have to pay a large sum every month to starve off the evil day. The decision, one way or the other, should be announced without delay. It was my humble self who mooted this proposal first in Bengal in a statement published in the Press. The Government of Bombay did not allow grass to grow under its feet and has been taking drastic action regardless of the vested interests which, as in the case of the Northcliffe and Beaverbrook Press of England, can influence the Indian Press too. At a time when children and the sick are dying of diseases like fleas, milk the only diet for patients, to the quantity of several thousands of maunds, is being converted to suit the palate of the city and town dwellers whose superior financial strength can draw blood out of stone, far less to speak of milk from the villages. It should be noted that there is no surplus area anywhere in Bengal in regard to milk. If manufacture of *sandesh, rasagolla* be stopped, the gluttons will readily take to sweetmeat items like "*kachuri*", "*singara*", "*jilapi*" in an increasing measure and the employees will only be switched over from one line of manufacture to another. Besides, in an abnormal time like the present one cannot please everybody and the greatest good of the greatest number should be the prime criterion of our programme. Complete rationing should also be introduced. A resolution on this subject tabled by my friend Mr. Mangturam Jaipuria, an orthodox Hindu and therefore a true socialist, has been hanging fire for about a year and this might serve as an index of the feeling of the Opposition and strengthen the arms of the Ministry if it were rightly minded.

In my budget speech last year I suggested that instead of spending vast sums of money on projects which are liable to be abused the Government should re-purchase lands for the benefit of the distressed who had to sell them during famine. As land cannot be stolen and the work must pass through the unsullied Judicial Department and registry offices, every rupee spent for this purpose would go to the real benefit of the province. On an enquiry in rural areas, which I know better than the Chief Minister gives me credit for, I find that not more than an insignificant portion of land has yet been recovered by the sellers themselves and we shall have to wait till Doomsday before they can do it. I would once again suggest that the Government should take up this work at once. A sum of Rs. 1 crore 69 lakhs (voted) occurs under the head—Famine. Of this, salaries and establishment absorb 74 lakhs, *i.e.*, about 43 per cent. In the revised estimate of 1944-45, 4 crores 30 lakhs is the total amount under Famine, and salaries and establishment account for 2 crores 20 lakhs, *i.e.*, about 51 per cent. A reference to the red book shows that salaries and establishment are split up into three items: Poor Houses and Orphanages, Special Medical Relief and Other Items. The Government should explain how much has actually been spent on salaries and allowances of employees and how much on goods used by the famine-stricken people. 43 or 51 per cent. is an outrageously disproportionate figure and creates the impression that in the name of famine-relief

numberless persons, apparently under the patronage of the Ministerial party, were employed. When these accounts are available, we shall be in a position to judge what proportion the administrative expenses bear to actual relief in the shape of food, clothing, etc. Every business house compares its expenses of management with its turnover and the expense ratio is always kept at the lowest possible figure. Famine-relief was a glorious record of British rule in this country in the past and the ratio of salaries in previous famines can be ascertained for comparison. In the budget estimate of 1945-46, however, a welcome fall to about 30 per cent. occurs. This strange difference confirms our suspicion that an army of men has unnecessarily been employto deal out an inadequate measure of relief.

A United Press message dated the 1st March states that the news of extreme distress of weavers and fishermen for want of yarn is pouring in from Madaripur, Pabna, Faridpur, Meherpur, Nadia, Kushtia, Kasipur, Narayanganj, Dacca, etc. The province is at present passing through a severe cloth famine and the theory of the Civil Supplies Minister repeated *ad nauseum* that the supply of cloth per head in Bengal is much less than in other provinces has since been exploded by Delhi in the same manner as the myth started by the same Minister about the decomposition of paddy stocks in Khulna railway stations due to non-supply of wagons by the Railway Board. The real fact is that cloth and yarn are going underground only to come out for fancy prices. Bengal is now the hoarders' and profiteers' paradise. A member of this House belonging to the Ministerial party attributed this to the Marwaris. In the province of Bihar trade and commerce are in the complete grip of the Marwaris, while in Bengal they have to compete with Europeans, Armenians, Bhatias, Delhiwallas, Iranis, Ispahanis and Bengalis. There is not this type of cloth scarcity in Bihar. A Bengalee colliery manager coming from Jharia 5 days ago stated that *dhooties* and *sarees* 10 × 44 were available for the asking at Jharia market and his only complaint was that *sarees* 11 × 46 necessary for his rather corpulent wife could not be purchased. Now, the same Marwaris rule the market in that province. Why this difference? The Marwaris as Marwaris are not to blame; the reason is that there the Government governs and here it is not so. The city is full of rumours that men at the helm of affairs here are the senior partners in the business of Chotabazar and Burrabazar. God alone knows whether these are true or not. In similar circumstances the party in power had it been on this side of the House would entertain grave suspicion against people responsible for the administration for the time being. Men are not angels and an extraordinary situation like the war lets loose forces of greed and self-aggrandisement.

We remember the Munitions Board case of the last war period and how Sir Thomas Holland lost his seat in the Viceroy's Executive Council. It is a fundamental principle of jurisprudence that justice has not only to be administered but administered in such a way that people may feel that it is being so done. Similarly, in governing honesty has not only to be practised but practised in such a way that there may be no cause for misgivings in the public mind. Moslem Leaguers should know that only villifying the Marwaris will not do. You must set your house in order. These Marwaris are the most thrifty and the ablest race of businessmen in the world and up till now not a single prodigal son has been born among them. Dead bodies of Hindus and Moslems cannot be covered with new pieces of cloth as is the custom in the country and women in the country-side cannot come out of doors: and this when Bengal gets more cloth per head than other provinces!

At the time of the discussion on the sales tax the Finance Minister said that he would exercise his rule-making powers for the benefit of handloom weavers. In a notification No. 130F.T., of the 29th March, 1944, the Government declared that handloom *dhooties* up to the value of Rs. 10 per pair and *sarees* up to the value of Rs. 15 per pair would only be exempted. 90 per cent. of *dhooties* and *sarees* for adults cannot be had except at much higher prices than these. It should be remembered that weavers generally

produce cloths for adults which form their principal item of trade. The Famine Commission of 1898 presided over by Sir James Lyall recommended special relief to weavers. The present Government wants first to reduce weavers into destitution and then give a fraction of them a few tools or a small quantity of yarn which in their hunger they are very likely to sell off to buy rice. Can the Government point to any considerable weaving population in any part of the province that it has been able to rehabilitate so far? Concentration in a few selected areas instead of discursive work all over the province will yield more satisfactory results and lend itself to less abuse of public money. The exemption limit of handloom cloth from the sales tax should be reconsidered to benefit a proper percentage of total handloom production.

On the police estimate, I want to mention one fact. The motor buses of Calcutta have to charge fares determined by the Police Department but in regard to packages they charge exorbitant rates, sometimes one rupee for two boxes of ordinary size and one bundle from Ballygunge to Howrah. This is a great hardship to middle class people. A complete schedule for luggage should be enforced by the police.

The provision of 6 lakhs 54 thousands for payment of dearness allowance to teachers is quite inadequate. At least three times the amount should be provided for these hard-working men engaged in real nation-building. They are among the worst hit section of the society in present conditions.

Regarding the political prisoners, I am glad to note that justice has been done to Srimati Santi Sudha Ghosh. The policy of releasing by driblets should be replaced by a more comprehensive plan specially in view of the vast improvement in the war situation. If Sir Oswald Mosley could be released long ago, there is no reason why such a large number of political prisoners should be detained here now without trial. Great injustice is being done to the families of these persons for want of adequate allowance in these days of high prices.

Sir, this Council should place on record its profound sense of sorrow at the recent death of three eminent Bengali businessmen Babu Sachchidananda Bhattacharya, Babu Surendra Nath Chakrabarti and Khan Sahib Wachel Molla. As I had occasion to remark only the other day, this our present race of clerks, pleaders, medicos and Deputy Magistrates is no object of glory and Bengal now has need of *"Khatriyas"* and *"Vaisyas"* and the best way of achieving our object is true hero-worship. All these three illustrious deceased started from a humble beginning and by dint of sheer merit, hard toil and thrift rose to be captains of trade and industry. When the lives of men like these and Sir Rajendra Nath Mukherjee, Batakrishna Pal, Motilal Seal will be incorporated in books approved by the Director of Public Instruction and will enter into the minds of young learners, then and then alone can the present spectacle of job-hunting in Clive Street by our graduates and the continuous strife between Hindus and Moslems arising from one source and no other, namely, securing of Government jobs will cease to torture our eyes. These men are the salt of the earth and their examples shine like the pole star in the present dark atmosphere of perjury, forgery, chicanary, bribery and jobbery. With these words, I conclude my observations.

Mr. BIREN ROY: Sir, before there is another such infliction in this unreal atmosphere, I want just to record my protest against the continuance of this sham House. This House, as I have already pointed out during Budget discussion, has no voice in either bringing a cut motion or even in getting one of its members appointed in the Public Accounts Committee to discuss how money has actually been spent. The Finance Minister has expressed his helplessness as well as the President; and although you, Sir, promised that something will be done, nothing has, however, yet been done.

It is apparent that this House is not taken care of at all even by the members on the Government side, and the number of members present in this House today on both sides will impress on everybody the futility of wasting money in such discussion over budget. These Supplementary Estimates of approximately Rs. 65 crores, are more than double the provincial budget of the year and two hours have been allotted for us to practically point out all the defects or offer our suggestions. And what is the result? The result is nothing. We have to draw inspiration from nobody, offer our suggestions to nobody, and nobody cares for this bovine business of chewing the cud with no salutary effect or with no effect at all. It is sheer waste of public money. The Government should take us into their confidence in the matter of criticism and the actual expenditure incurred. This is practically the end of the year and we are confronted with the supplementary estimates covering money already spent. Is it any use discussing these things to waste money and the time of the House?

Mr. C. E. CLARKE: Sir, in rising to add a few comments on the Finance Department's Supplementary Estimates I need only be brief. Unusual circumstances have prepared us in some measure for an appreciation of the financial needs for Provincial administration and although it would be erroneous to pretend that this forms pleasing reading, the estimate seems consonant with actual conditions.

Most of the grants call for little remark but one's attention is, however, arrested by details of grant No. 34 set out on page 31. The not inconsiderable sum of Rs. 1,42,00,000 is included for the maintenance of the Civil Supplies Department's Directorate, Extra Police and the Controller of Rationing. In connection with grant 35, the outstanding feature is the large sum of Rs. 1,31,30,000 for the carry-over purchase of Standard Cloth. This must represent a considerable yardage and in view of the reports we hear of acute shortage, the position seems unintelligible. Perhaps the Hon'ble Minister will be good enough to enlighten us on this point.

The point I am trying to make is that although an expensive Civil Supplies Department must be carried, an assurance must be given that its work will be to the best interests of the public. Indeed, the distribution of cotton cloth today is an outstanding failure. All sections of the public are affected and as far as can be ascertained at the present moment, the prospects of improvement are not encouraging.

The problem of cotton cloth is not new. For nearly two years the Textile Commissioner in Bombay has held taut reins controlling a matter on which in the initial stages he omitted to take the simple precaution of consulting the Trade. For instance, a great many difficulties have arisen as a result of the failure more accurately to define the position of a dealer. Government has been singularly obtuse: it could have met with better success if it had appealed for the co-operation of the trade instead of placing nearly every possible obstacle in the path of usual channels. In my opinion sufficient latitude is allowed for Provincial Controllers.

Much has been said, Sir, in this House and elsewhere in connection with black market; but very few people seem to have stopped to investigate the causes of such conditions. The fact that the entire production of mills has been controlled by Central Government for years creates the circumstances favourable to unscrupulous adventurers, not necessarily connected with the trade, to exploit a position to the considerable disadvantage of the consumer.

An honourable member from the benches on my left a few days ago gave his decided views on the throttling of distribution by black-marketeers. Central Government statistics since published in the press support the statements that Bengal has received its proper quota of cloth; so it now remains for the "extra police" voted for to carry out its functions.

The fixation of ceiling prices is another aspect of the difficulty which should be closely examined and here I would express my opinion that the moment Government enters into the picture as the Dictator of Prices and compulsory disposal, it is morally obligated to ensure supplies, not merely to a given territory but to the point of final distribution. The setting up of Government Approved Shops may be a step in the right direction but do we have any assurance that such establishments represent normal or even experienced trade channels? Under one of the Distribution Schemes some cloth has been made available. That it may not be the right kind of cloth is beside the point for the moment. The unfortunate reality is that the gross profit works out at something less than 7 per cent. out of which the vendor has to maintain his establishment and meet taxation. It will readily be appreciated that no retailer can be expected to interest himself in any kind of trade that is going to result in financial loss to himself and until this very unsatisfactory state of affairs can be rectified, the public must continue to bear hardships that are greater than necessary. It is a matter to be watched with close interest.

It is sincerely to be trusted that in strengthening the hands of the Civil Supplies Department by the creation of two new Directorates something distinctly tangible by way of results will have been achived when the position is reviewed in a year's time.

It is considered that to ensure a more rapid distribution of even the small quantities of cotton cloth that may be available, attention should be given immediately to the improvement in orders governing the movement of cloth which overlap each other. The central order makes it clear that no cotton cloth may be sent by post anywhere in India or outside India without an export licence or special permit, except to military personnel while the Provincial Order removes every possible shadow of doubt by prohibiting the movement of cloth by any means of transport. Complete silence shrouds the existence of arrangements whereby residents in mofussil districts and remote areas such as Tea Gardens in Assam may obtain their supplies. Both these Orders require immediate amendment and it is hoped that the proper authorities will soon take steps to relieve this situation.

In conclusion, it only remains, perhaps, to express a hope that the Budget of 1945 will have a much happier landing than the Budget of 1944.

Mr. BANKIM CHANDRA MUKHERJEE: Sir, in rising to speak a few words on the Supplementary Estimates presented by the Hon'ble the Finance Minister I may point out that the picture I drew in connection with my last Budget Speech has been partially justified, and we will find in the Supplementary Estimates the fruits of the administration for a year (1944-45). I would only take, Sir, in the first instance, Grant No. 35 "Capital Outlay on Provincial Schemes connected with the War, 1939." I do not know why this heading has been kept. I hope the words "connected with the War, 1939" should be deleted altogether from this heading. Now, what do we find on analysing the figures of the Hon'ble Finance Minister? In the budget for 1944-45 in connection with the grains purchase scheme he provided that grains would be purchased worth Rs. 64,78,90,000. I hope the Finance Minister will kindly note the figures. It was estimated that the sale proceeds would be Rs. 75,46,12,000 and other receipts would be Rs. 81,50,000. As against this the loss was estimated at Rs. 5,60,000, which would result in an ultimate total gain of Rs. 17,08,97,000. That was the picture, Sir, that we had last year when the budget of 1944-45 was presented. But what is the revised estimate that has been presented by the Finance Minister? I would only request honourable members to particularly mark the figures. The cost price in the revised estimate is shown to be Rs. 77,71,80,000. I may remind honourable members if they would kindly follow the budget speech of the Finance

Minister that the entire amount had to be borrowed from the Imperial Bank or the Reserve Bank for financing the scheme of grain purchase by the Government of Bengal. Now what do we find in the sale-proceeds? As against the sum of Rs. 75,00,00,000 spent in purchase of food grains in the year 1944-45 we get the sale proceeds to be only 35 crores of rupees, which is less than half the figure budgetted in the beginning of the year 1944-45. I do not know what is the explanation of all this. The only explanation that I can give is, as suggested by my honourable friend to my left, Mr. Clarke, who has just now spoken, is that the Government of Bengal ignored altogether the normal trade channels. They took the help of people who had absolutely no idea of what purchase of grains means, how the grains should be stocked, how they should be distributed and distributed in what manner; of all these they had no idea whatsoever. A large number of job-hunters followed the Honourable Ministers—they were given jobs; a large number of contractors followed the Hon'ble Ministers, they were given contracts; all without reference to security or to anything as to their previous connection with the trade. The only thing they wanted was that they must help somehow to secure votes in the lower house for the ministry in order that they might get the support at the critical moment when critical motions were being considered on the floor of the lower house. Now, Sir, the sale proceeds were Rs. 35 crores as I have already said. But let us see what the loss was. The loss was estimated at Rs. 5,60,00,000 but now it is going to be Rs. 13,94,00,000. We have some idea as to the value of the foodgrains that were thrown in the tanks of Birbhum, in the streets of Howrah, in the gardens of Mr. Pain in the Howrah Municipality and in the various districts, and in the Berhampore Municipality where *atta* was sold at eleven annas a maund as against Rs. 16 per maund. We have not got the figures: we would have been glad if the Hon'ble Finance Minister would have laid a table of these losses in a statement. I hope he will do so in his reply if not today, something hereafter, in order to indicate how this 14 crores of rupees were lost to the Bengal Exchequer. We are told now that you have got stocks worth 26 crores 83 lakhs and 60 thousands. Possibly these represent the stocks in hand which the Government of Bengal have got in their account books. I do not see these stocks exhibited. Stocks disclose Rs. 26,83,60,000. The net amount demanded Rs. 43,19,00,000 in the case of grain purchase alone. The next year, the year 1945-46, I do not accept the same view which my friend Mr. Clarke expressed, that he would give a better picture. He will find next year the whole of this was not in existence—the whole thing would become rotten. Possibly a good portion of it would be thrown away and the result would be that the realisation would be much less than it was shown. The Government of Bengal Exchequer has shown Rs. 43,92,000 as excess amount spent during 1944-45.

Now, Sir, let us take the question of standard cloth. Here I am sorry to say that there is a game of hide and seek. In the case of grain seeds we have been given some details of the cost of total grain purchase. But where is the total cost of cloth purchased by the Government of Bengal? Where are those figures? In my budget speech only the other day I indicated that Bengal Government should come out with a statement as to the actual amount of cloth purchased by them. We expected that a similar statement as in the case of grain purchase scheme would be given in the case of standard cloth. But what is the information given to the honourable members? The only information given is that—I would request the honourable members to look to page 43 and see how the Legislature has been dealt with in the matter of standard cloth. "Purchase of standard cloth: It was expected that there would be no carrying over of stocks; it now appears that stocks to the value of 13 lakhs 72 thousands rupees will remain in hand at the end of the current year." We are now in 7th of March and this budget was presented in February 1945. We have just now heard that Bengal received the full quota of cloth—I believe it is 72 crores and odd yards. What was the value of 72 crores and odd yards. Perhaps the Hon'ble

Finance Minister might say that that does not represent the standard cloth. Why we should not be given the total quantity of standard cloth purchased in the same way in which the cost of grains purchase scheme has been given? Honourable members would then have known what was the total quantity of cloth which Bengal Government received. In connection with cloth scheme, I am glad that Mr. Clarke touched the point and he criticised the action of the present Government severely but I am sorry he had not the information otherwise he would have found out how the black-marketeers are thriving. I would like to give one information to the honourable members in this respect as to the method that is adopted so far as the standard cloth and other cloth that is coming to Bengal are concerned. Mr. Clarke has pointed out that every piece of cloth that comes to Bengal comes under a permit granted by the Textile Controller under the India Government. That is true. Standard cloth is indented by the Government of Bengal but other cloths are indented by dealers in Bengal particularly in Calcutta on their own account. They have got to get an endorsement on the railway receipt in order that they might be able to dispose of the stocks which they get from outside Bengal. Now, what is the method? The standard cloth comes direct to the Bengal Government and is kept entirely under the control of the Bengal Government and there are several agents appointed by the Government of Bengal for the purpose of bringing standard cloth from outside Bengal. Besides, we have got also other cloth that is produced within Bengal in the mills of Bengal. Now, with regard to other cloth that is indented by other merchants, the railway receipts are taken to the office of the Textile Controller. The moment the railway receipt goes to the Textile Controller, he freezes the stock. I do not know whether honourable members know what this freezing means. The freezing means that the merchants will have to take delivery of the goods stored then in their own godowns but they will not be able to sell a single cloth without a permit from the Controller. As a matter of fact if we take the entire cloth that is brought within Bengal from outside, the entire stock is under the thumb of the Civil Supplies Department. That Department controls the entire cloth—standard or finer variety. Now, what is the next stage? Here comes the procession of favourites and other persons, the supporters of the present Government. There is a long procession, not of figures, procession of people who want permits from the Government of Bengal, people who had never been in the cloth trade, who did not know, the other day my learned friend said some of them were shoe-merchants, but I do not think they were even shoe-merchants, in that case they would have known what trade means, well these people go to the Textile Department, secure somehow or other permits for what? We have got that the Bengal Government has got in its stock, suppose, 40,000 bales of cloth, and say 40 bales were given to 1,000 people having no idea of what trade is. As Mr. Clarke pointed out, the normal trade has been altogether wiped out, and the people who know nothing about the trade have become traders. These people get permits from the Textile Department and go to the merchants who have got the stocks. Some of them have got stocks of standard cloth in the account of Bengal Government, and some have got stocks of finer cloth in their own account of Bengal Government, and some have got stocks of finer cloth in their own account but which are freezed by Bengal Government. The people who obtain these permits go to these dealers and say "Well, give us something and we will give you the permits for selling your stocks." I am told that in this way for each bale of cloth a very good round sum is paid to the permit-holder. I do not know the exact figure but I am told that the figure is something about Rs. 500 per bale pairs of cloth. Each bale contains about 150 to 200 pairs of cloth. Now, what happens? The dealer takes the permit and pays to each permit-holder in round sums, say, Rs. 30,000, Rs. 40,000 or Rs. 50,000. The fortunate permit-holder goes out with the money in his pocket, but then what about these thousands of rupees that are paid by the dealers? The dealer cannot sell his cloth at normal prices. He must realise the amount which he has paid to the permit

holder. Then what happens? The cloth goes to the black-market. This is an open secret every-where. You go to Burra Bazar or any place you like, you will find this thing. Now, the dealer has got to dispose of his stocks, and he disposes of them in the black-market somehow. Then comes a race of inspectors from the Textile Department. The next step is that the Textile Inspector has got to be satisfied, and then something more is to be paid so that the cloth can go from the godown of the stock-holder to the dealer. Now, when the cloth ultimately reaches the dealer, here also the dealer has got to satisfy the Inspectors, and thus the entire sum that is paid on account of each bale of cloth has got to be realised by the retailer, otherwise he will suffer loss. Therefore, he must make a good provision for these emergencies, and that is why there is this famine in the cloth market. I do not know why the Hon'ble the Finance Minister has not given us the entire amount of cloth that has been purchased.

Now, even if it is said that 1 crore 31 lakhs and 70 thousands of rupees worth of cloth will remain in hand, I ask why then the womenfolk are committing suicide for want of a piece of cloth and for which they cannot come out of doors? When this is the condition of things, the Government of Bengal says "Well, we hold the stock of standard cloth and the total number of cloths will be about 50 lakhs." Now, if this 50 lakh pieces of cloth are distributed among the womenfolk who cannot come out of doors for want of cloth, then there would not be this cloth famine in Bengal. Will the Hon'ble the Finance Minister disclose where these stocks of cloth lie and in whose hands? Will he bring the stock on to the floor of this House? We do not mind the expenses for bringing it down to the floor of this House—and distribute it and issue a notice to the people who are in want of cloth and sell it to them so that they may be relieved of their distress and famine of cloth as it has come to be called now, and possibly the whole stuff of cloth valued at one crore and 31 lakhs would be disposed of in the course of one week. It is not necessary that this sum should be provided and we should run an account in the Imperial Bank for a loan of one crore and 31 lakhs paying interest at a certain rate either to the Imperial Bank or to the Reserve Bank. I do not want to take more time, Sir. There is another item, however, on which I would like to speak, and that matter will be found at page 32 of the Supplementary Estimates. In the budget for 1944-45 has been estimated a loss on foodgrains other than wheat of Rs. 50,000—loss on wheat and wheat products nil. We criticised the estimate at the time and now we want to know what were the big profits which the Civil Supplies Minister said that they were making on wheat deal by the Government of Bengal. It was distinctly stated by the Civil Supplies Minister on the floor of the House that they were making profits on the wheat deal. I touched on this mater in my Budget Speech but this Supplementary Estimate shows a loss on wheat and wheat products of Rs. 4,40,000 or thereabouts; whether it is 40 lakhs or 50 lakhs does not matter. But we want to know why there should be this loss on wheat and wheat products. This will be found under the head "Loss on subsidized Food". I put a question to the Civil Supplies Department and the question was answered by the Hon'ble Civil Supplies Minister on the floor of the House that there was no loss incurred in the sale of wheat. As a matter of fact I made out the case that the price of wheat being supplied to the people of Calcutta should be reduced in view of the fact that the total cost which the Government of Bengal was paying to the Central Government was much less, being more or less in the neighbourhood of rupees ten while we are being charged a little more than Rs. 13 a maund Now, we are told that we are running at a loss on sale of wheat and wheat products. I hope the Hon'ble Finance Minister will try, if possible, to explain it. But this Supplementary Budget certainly discloses a dismal picture—65 crores of rupees we are asked to provide as additional sum over and above the sum that was voted last year. Now a good portion of it may be disclosed as in stock of the present budget. But I am sure when the

next year's budget would be faced the same story as in the present case will be told that there is a loss in the grain purchase scheme and possibly in the next year's budget we have to provide for a higher sum which it would not be possible for the Bengal revenue to provide and the province would turn into bankruptcy. I would particularly ask the honourable members of this House to realise the position and I would appeal to His Excellency to consider whether this state of things in the province should be allowed to continue. With these words, I conclude.

Mr. NAGENDRA NATH MAHALANOBIS: Mr. Deputy President, Sir, I would like to make a few observations on the Supplementary Estimates. I had not had the opportunity of attending the Council during the discussion of the budget. But any way, I am glad that we have got this opportunity of discussing the policy which the present Ministry is following. I do not propose to go into the figures because figures are too big for me and the figures do not really disclose the real nature of the failure of this Ministry in running the administration of this province. We find that the most important item in this supplementary budget is the item of civil supply and the greatest amount of wastage seems to have occurred under that head. Some time before in this Council I had to express my view that the business of the civil supply is not the business of this Ministry. They do not know this business and they have no business to carry on this business when they have no idea. They ought to leave this matter in the hands of experienced businessmen who would be able to manage it much better and with less cost and with much greater satisfaction to the public. That was the idea that I expressed long ago. I now find that my apprehension has been more than justified by the figures of the supplementary budget that has been presented so far as the civil supply is concerned. I believe honourable members leaving in this city do not realise the difficulties which we people of the mofussil have to face with regard to the maladministration of the Civil Supplies Department. Here because there are large number of members and more influential section of the public who are able to bring it to the notice of the authorities and complain and there are greater advantages than the people in the mofussil, have the difficulties are not felt so much as in the mofussil as there are very few who could speak to the authorities. Take, for instance, sugar. The people of Calcutta get 1½ *poas* per head of sugar irrespective of whether he is an adult or a child. I believe that while making out the table of rationing the authorities did consider that 1½ *poas* of sugar are really necessary for a man to carry on for a week. If that is so, how is it that in the mofussil people are not allowed to have even a *poa* per week? Why do not the Government make it a rule to supply the same quantity while rationing a particular commodity everywhere? Why should the mofussil people get so much less and why should the Calcutta people get so much more? Do the Ministry care to know why this difference exists or do they care to think over this matter? Do they consider ½ *poa* is sufficient for a man to carry on for a week specially in a district like Jalpaiguri when there are so many tea estates, when the people there take more tea? I submit there ought to be a general rule laid down as to what should be the quantity of sugar that should be supplied to the people under the rationing scheme. (Mr. BANKIM CHANDRA MUKHERJEE: Jalpaiguri consumes less tea.) It is no question of consuming less tea. Why there should be difference between Calcutta and the mofussil? If really we assume that the Government or the Civil Supplies Department do actually allot to the districts sufficient sugar to allow the people in the mofussil to have 1½ *poas* or at least 1 *poa* per week per head, then there must be something wrong somewhere which would explain the reason of this shortage. Who is responsible for this? The District Administration? If the District Administration actually do not take into consideration the real interests of the people, well, I should submit, the Civil Supplies Department may take them to task. It may be

said well the District Administration do not distribute properly in the mofussil. There are Food Committees—one District Magistrate, an I.C.S. officer was kind enough to tell me that these Food Committees they were constituted for the sole reason to divert the blame from the District Magistrates to the Food Committees, because people would blame the District Magistrates when commodities will not reach them. The Government will now say there have been the Food Committees and they distribute these things. The Food Committees have to obtain their supplies from the district authorities or what is called the District Food Committees which are really ruled by the District Magistrates and people do not know as to what is the quantity that is supplied to the district and what is the quantity they reserve for themselves and their friends and relations. The Food Committees are really at the mercy of the District Magistrates who preside over the District Food Committees and there is really nothing to check the District Authorities. I therefore draw the attention of the Hon'ble Minister in charge that, if they want to carry on this matter in this way, they ought to be more vigilant, they ought to prescribe the quantity they want to allot without making any difference between Calcutta and mofussil.

There is another point, Sir.

As regards coal, you find that coal quota that is given to the mofussil, we are told, is settled by some authorities in the Province, and the provincial quota is fixed by the Central Government. Whenever we raise this question, the Government say "Well, we have got nothing to do with it, because we get our quota from the Centre". But having secured the quota for the Province there ought to be equitable distribution between all the districts according to their respective needs. But, that is not done, letters, telegrams, urgent telegrams sent from the districts to the Civil Supplies Department remain unattended for, I should say, weeks or they go to the waste-paper buskets, and this Hon'ble Minister, I mean the Hon'ble Minister in charge of Civil Supplies, I am always told, has very little time to go through these telegrams or to attend to them or reply them. There must be somebody in the department who would be kind enough to attend to these telegrams and send replies at least, if not the commodities that are wanted. This is how this Department of Civil Supplies is being managed. Now, when the coal actually reaches the district, the district authorities reserve certain quantities for themselves, it is a fact which is known to everybody who comes from the mofussil, and that reserved quantities of coal are distributed amongst the officers, their friends and relations. While a man with a family of say 40 members does not get 2 maunds of coal per month, the friends of the authorities would get 20 maunds for the mere asking. This is how the Civil Supplies Department is being run. The people in the mofussil are now in despair. The prices of commodities are high, because they are to be purchased from the black-market. Who creates this black-market? The black-markets are created by the Ministers themselves, and by those persons who are in the chain of distribution. Perhaps, it will not be an exaggeration to say that this Civil Supplies Department is corrupt from top to bottom. Everybody knows it. Everybody speaks of it openly, and I am sure that the Hon'ble Ministers themselves and the Civil Supplies Minister himself know it fully well whether these accusations are unfounded or they are well-founded. I would ask the Hon'ble Ministers to start an enquiry consisting of the honourable members of this House, officials and non-officials or of members from the Government of India and let this matter be investigated by them, and the Ministers ought to be in a position to show that the allegations made against them are absolutely unfounded, or that if they are well-founded they should at once resign. We cannot allow Bengal to be governed by a set of people who are dishonest. Why should we suffer? Why should we allow ourselves to be governer by people who are dishonest? It is a shame to the people of Bengal, it is a shame to all those people who live

in Bengal. Can we not find out people who can manage the affairs of Bengal honestly? Why should there be allegations and suspicions against the Ministers? Everybody knows in this Council and outside how these Ministers are being regarded by the people of this Province. Why? I do not personally accuse them but I feel aggrieved when I hear such accusations against the Ministry. I also hear people saying that they have got personal knowledge not only of the Ministers' corruption but also of those who in the scheme of the general distribution come into the picture up to the last man in the district. There are circumstances and facts which I personally know but which I do not like to disclose; but there cannot be any doubt that there are substantial grounds for believing that the wretched state of affairs in Bengal today is due not only to incapacity, but also to the corruption of the Ministry and their friends and relations.

Mr. DEPUTY PRESIDENT: The time for closing is drawing near and the Hon'ble Finance Minister must have some time to reply.

Mr. LALIT CHANDRA DAS: On a point of information, Sir, how long Mr. Mahalanobish will yet take I do not know; but Sir there are other persons who are willing to speak on this supplementary demand. One day is not at all sufficient for discussing a budget which deals with 65 crores of rupees; indeed, a large number of speakers still remain to speak. I do not say anything for myself only but I say this on behalf of my other friends who intend to speak on this budget. So at least another day should be granted—tomorrow or Monday. This is a supplementary budget of 65 crores and we should be given more than one day to discuss it. For the purpose of discussing the next year's budget estimates of 34 crores only we were given three days which were subsequently extended by one day; but in case of a budget which deals with a huge sum of 65 crores we are given only one day. Members are taking great interest in this budget and therefore at least one day more should be given to us. The two wings of the Congress Party are yet to speak, the Scheduled Castes member still remains to speak, the Independent Group has not yet spoken. Then again, the Finance Minister will require some good time to reply; in these circumstances I would suggest that at least one day more be allotted for this purpose.

Mr. DEPUTY PRESIDENT: Well, let me hear the Government point of view.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, I have not yet finished.

Mr. DEPUTY PRESIDENT: I am not asking you to take your seat, but I am asking the Hon'ble Finance Minister for his views.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: If it is the desire of of the House that longer time should be allotted for the discussion of the supplementary estimates, I personally have no objection. I am glad to say that the Chief Whip of the Council assures me that he may be able to get another day from the Governor if that is the desire of the House.

Mr. LALIT CHANDRA DAS: Thanks.

Mr. NAGENDRA NATH MAHALANOBISH: I was remarking, Sir, on how the Civil Supplies Department is being run and the general verdict of the public of Bengal against the Ministry. There is absolutely no doubt that the people in the mofussil are feeling the existence of the Civil

Supplies Department very bitterly: not because they are not getting their supplies although they stand very much in need of them, but because they won't supply what they have got and Government control over the department is altogether gone. They cannot give a proper supply and not only that; having got the things they behave in such a way that these things are not properly distributed. I would therefore suggest in this connection that there ought to be a board for receiving the commodities which Bengal receives from the Central Government and the distribution should be through various agencies of unimpeachable character or through such unofficial agencies who would take upon themselves this thankless task; thereby Government will save a lot of money and save their name and fame, because they would be out of touch with this business and there would be no room for any complaint that the Ministers or their nominees and their friends and relations are corrupt. So if that is done Bengal will be in a much better position than she is today. It is no use keeping this Department in the way in which it is being run. You merely pay a lot of money in salary people pay a lot of money in bribes. That is how this business is being run.

Then, Sir, as regards cloth—the cloth famine is well known to every member and I do not like to dwell upon it at great length. It is felt everywhere in Bengal, and what is the position? From the city of Calcutta down to the village how this cloth is being distributed should be taken notice of. Speakers before me have already said how cloths are being driven into black-market because of the bribery of the officers on the top. From the beginning you start with taking license. I do not know exactly how much one has to pay for a license. I have got almost personal knowledge that in the mofussil there was a supply officer whose business it was to issue licenses and who did realise Rs. 50 for issue of each license. This is the minimum that he got. Just remember how many thousands of licenses are issued. This officer does not require to serve Government any more because he has earned lakhs. That is how they start the business with license. Then, Sir, you want permit and then there is competition in order to secure a permit. After paying all these gentlemen how can you expect the men who are fortunate enough to secure permits for 10 or 20 bales of cloth to sell that thing at a control price. It is impossible for them to sell the stuff at control price. Therefore what they will do is that after three or four days they will say that they have got no stock—the stock finished and those who supervise their work—supervise this business, for instance the textile inspector, that I believe is his name; that textile inspector gets a salary of Rs. 75 or something like that—below Rs. 100 and in six months time every textile inspector of Bengal will earn a lot. I may tell you and the members of this House will appreciate—I am speaking of mofussil——

Mr. DEPUTY SPEAKER: I may tell the honourable member that in the discussion of supplementary budget the scope of discussion is very limited. So you should confine your criticism strictly to the items included in the supplementary budget and the general policy of the Government cannot be discussed in the course of the discussion of the supplementary budget.

Mr. NAGENDRA NATH MAHALANOBIS: As you desire, Sir, I shall not go into the question as to how far we can go and how far we cannot. I was just going to deal with one branch of the Civil Supplies Department which has bungled the matter incurring huge expenditure. If you discuss all these items you will find that about Rs. 48 crores is being sought to be sanctioned which has already been spent I believe and we are going to hold a *post mortem* examination and this examination is ineffective. But we can

suggest that though this has been done this year we should not allow this in future, so that public revenues may not be wasted. This line I propose to take. I am very much obliged to you, Sir, for drawing my attention to the scope of this discussion. But it is not exactly possible for any member to confine his discussion only to the figures alone——

Mr. DEPUTY PRESIDENT: To the propriety of the subject-matter.

Mr. NAGENDRA NATH MAHALANOBISH: Yes, that is possible. Now, Sir, this increase in the dearness allowance to inspectors and other officers in the Civil Supplies Department is unnecessary. Every one would be willing to serve as a textile inspector now without a single farthing as pay. If you offer the post to anybody or if you auction the post I believe you will get at least Rs. 10,000 for each post and no dearness allowance is therefore necessary. I was trying to illustrate this matter, this vital matter. The Hon'ble Ministers perhaps do not know these things but if they go to the mofussil and stay with us, poor fellows, they may see things with their own eyes and hear for themselves how matters are managed there. Here you are trying to provide for their dearness allowance, higher pay and so on and so forth. (Mr. SHRISH CHANDRA CHAKRAVERTI: Direct your speech to the European members.) Oh, these gentlemen, though they champion this very cause but they won't say anything because they think that will be going against the Ministry. That is not their creed to do so. Well, Sir, I have finished. I have nothing further to say.

Mr. DEPUTY PRESIDENT: The House stands adjourned till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m., on Thursday, the 8th March, 1945.

Members Absent.

The following members were absent from the meeting held on the 7th March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad,
(2) Mr. Kader Baksh,
(3) Mr. Humayun Reza Chowdhury,
(4) Mr. K. K. Dutta,
(5) Khan Bahadur Abdul Gofran,
(6) Mr. M. R. Jaipuria,
(7) Maulana Mohd. Akrum Khan,
(8) Khan Bahadur M. A. Momin,
(9) Mr. N. N. Mookerjee,
(10) Dr. K. S. Ray,
(11) Mr. Yakub H. S. Sattar,
(12) Dr. K. Talukdar,
(13) The Hon'ble Sir B. P. Singh Roy.

RGP-45/6-2909A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 13.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 8th March, 1945, at 1-30 p.m., being the thirteenth day of the First Session of 1945, pursuant to Section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Point of Privilege.

Mr. HARIDAS MAJUMDAR: Sir, I want to rise to a point of privilege. My point is: this Ministry is practising a practical deception on the Governor by misguiding him in various ways; as for example, in the matter of proroguing the Lower House while a heavy business was on the agenda. As regards the supersession of the Howrah Municipality, here also they misguided the Governor by making him sign the supersession order. Again, an invidious distinction is being made in regard to the election or filling up of vacancies in the membership of the Upper House. Sir, in the month of August last, a valued member of this side, Nawabzada Altaf Ali, died but his seat still remains vacant. This is a violation of the privilege of this House. No notice has been taken of this by the Government as yet. But Mr. Ferguson who resigned only on the 28th of February last has already been replaced by another gentleman, and a notice to that effect has already been issued on the 12th of March. This shows an invidious distinction. I maintain that it is a violation of the privilege of this House. One Party is being favoured while the other Party's representative is not replaced. During the last session when nomination papers were submitted, they cancelled the same and now although for nearly a month we are here, still no notification has been issued. I do not know, Sir, what is the motive behind all these things. Therefore, I suggest that you being the custodian of our rights and privileges should have the matter enquired into, and if you find it just and fair, you should refer it to the Privileges Committee.

Mr. DEPUTY PRESIDENT: Will any Hon'ble Minister on the Government benches kindly throw any light on this matter?

Mr. BANKIM CHANDRA MUKHERJEE: Sir,——

Mr. DEPUTY PRESIDENT: Do you rise to speak on the budget or on this point of privilege?

Mr. BANKIM CHANDRA MUKHERJEE: On this point of privilege.

Mr. DEPUTY PRESIDENT: I think it would be better if we heard what the Government had to say on this point.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not keep any information regarding these matters. Therefore, when the Hon'ble Home Minister comes, this point may be raised.

Mr. SHRISH CHANDRA CHAKRAVERTI: But you are the Leader of the House!

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes; but these matters do not pertain to my department, and therefore I am

not in a position to throw any light on this point. We have just now been told of this and either myself or the Hon'ble the Home Minister will enquire and give the desired information.

Mr. HARIDAS MAJUMDAR: Do you dispute the facts?

Mr. BIREN ROY: Are you only in charge of condolence motions and of no other matters?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Elections are not my subject and condolence motions I move on behalf of the entire House.

Mr. SHRISH CHANDRA CHAKRAVERTI: Oh! you only speak of men when they go out but you do not bring men in!

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, elections are dealt with in the Home Department and since the question has been raised by the honourable member, we shall certainly refer the matter to the Hon'ble the Home Minister. Either he or the Hon'ble the Leader of the House may make a statement.

Mr. DEPUTY PRESIDENT: I think, Mr. Majumdar, you have no objection to this course.

Mr. HARIDAS MAJUMDAR: No Sir; but I would request the Hon'ble the Leader of the House to declare the position in consultation with the Home Minister, for he is our Leader, and this is a very important point.

Adjournment motion.

Mr. BANKIM CHANDRA MUKHERJEE: I gave notice of an adjournment motion.

Mr. DEPUTY PRESIDENT: Yes, I am coming to that. I have received notice of an adjournment motion from Mr. Bankim Chandra Mukherjee who wants to move: that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation that has arisen owing to the failure of the Government of Bengal to pay 9 lacs of rupees as taxes of the Council House to the Calcutta Corporation thus causing considerable hardship to the rate-payers.

Mr. BANKIM CHANDRA MUKHERJEE: I have also given some facts with the notice of my motion, and I would like to mention them for the elucidation of the members of the House. Sir, the facts are these: So far as the tax on this House is concerned, there was a dispute. I am informed that the matter has been finally settled by arbitration and that the amount that is due to the Corporation is 9 lakhs of rupees. So far as Government's dealing with the Corporation is concerned, every honourable member of this House knows what has happened from today's newspapers, namely, that Government have proposed that the city's consolidated rate should be enhanced by 2½ per cent. failing which the Corporation,—and that is one of the grounds,—is going to be suspended: and this, Sir, at a time when Government itself owes a sum of 9 lakhs to the Corporation on account of taxes on this building only, which works out, if paid to the Corporation, at about one per cent. of its total expenses.

Mr. DEPUTY PRESIDENT: Is it your point that because of the non-payment of tax on this building by the Government, the Corporation is going to be put to the position of imposing an extra tax on the public?

Mr. BANKIM CHANDRA MUKHERJEE: That is my main point. As a matter of fact, the Chief Executive Officer at the time of presenting his budget estimates proposed that the rate should be increased by 1 per cent.

Mr. DEPUTY PRESIDENT: All right. Has the honourable member leave of the House to move his motion?

Mr. HARIDAS MAJUMDAR: First of all, let it be ascertained whether there is objection. Up to now, there has not been any objection, Sir.

Mr. MESBAHUDDIN AHMED: We have no objection, Sir, and a day may be fixed for the discussion of this motion.

Mr. DEPUTY PRESIDENT: Will the Hon'ble the Leader of the House suggest a day?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Next Monday.

Mr. HARIDAS MAJUMDAR: Next Monday is a Hindu holiday on account of Baruni—an important festival.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: But Monday has not been declared as a holiday.

Mr. LALIT CHANDRA DAS: Sir, Baruni is an important Hindu festival and we do not want to meet on that day.

Mr. DEPUTY PRESIDENT: Baruni is a local holiday. Anyway, we may discuss this motion on Tuesday, the 13th.

Mr. HARIDAS MAJUMDAR: Very well, Sir. That will do.

Mr. DEPUTY PRESIDENT: Is the Hon'ble Leader of the House agreeable if it is 1-30 p.m. on Tuesday next?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I have no objection.

Discussion of the Supplementary Estimates.

Mr. DEPUTY PRESIDENT: Order, order. In connection with the discussion of the supplementary estimates yesterday, I allowed considerable latitude to the honourable members. But it was found that in some cases rules regulating the debate on supplementary estimates were not strictly followed. So, before the House proceeds to resume discussion of the same subject, I would like to impress upon the honourable members that debates must be restricted to the subject-matter of the supplementary estimates. In the course of the discussion of the supplementary estimates in respect of any demand relating to the scheme or project which has already been sanctioned and allotment has already been made in the original budget, there is no scope for discussion of the policy. But if there is any item relating to any new scheme that rule has to be relaxed. But even so discussion must be confined within the item under discussion. That is the procedure which is followed even in Parliament.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, under what rules you are putting up this restriction?

Mr. DEPUTY PRESIDENT: That is the practice in the Parliament and that is also the practice in all the Indian Legislatures. For the satisfaction of the honourable members I may refer to different rulings of different Hon'ble Presidents. I may point out that the real scope of discussion on supplementary estimates is the propriety of appropriations made for the supplementary fund which is required under different heads. If any honourable member has any doubt as regards my opinion—this may not be strictly taken as a ruling—then I can satisfy him by referring to the rulings given by the Hon'ble Speaker of the Parliament and by referring to the rulings given by different Presidents of the Central Legislature.

Mr. HARIDAS MAJUMDAR: I think, Sir, in your observations you have forgotten the fact that the Parliamentary Rules and other procedures are not applicable to this case, because the Government have not followed the convention relating to the supplementary budgets. The Ministry ought to have taken the sanction of the House but the procedure they have followed is irregular and *ultra vires*. So, in my opinion those rules you refer to do not apply to this case.

Mr. DEPUTY PRESIDENT: If an honourable member has noticed any irregularity on the part of Government, it is within the competence of the honourable member to refer to that.

Mr. HARIDAS MAJUMDAR: We are doing so. We are criticising the supplementary budget strictly in accordance with the rules. There is no time-limit——

Mr. DEPUTY PRESIDENT: I am afraid you have not followed what I have said. I have not referred to the existence of a time-limit at all. Let me state the whole position, why you are getting impatient? I simply said that in discussing a supplementary budget you cannot discuss the entire administrative policy of the Government. The proper time for it is when the General Budget is placed before the House. This is only a supplementary budget——

Mr. HARIDAS MAJUMDAR: This is practically the original budget.

Mr. DEPUTY PRESIDENT: If the honourable member cannot make a distinction between an original budget and a supplementary budget, it is difficult to explain it from the Chair.

Mr. SHRISH CHANDRA CHAKRAVERTI: But, Sir, in the Government of India Act, 1935, no distinction has been made between the original and the supplementary budgets. There is also no reference in our own rules. As for the Parliamentary procedure which you, Sir, have chosen to point out, I may say that in this House or elsewhere the Ministry is not following that procedure. We have not yet got a Public Accounts Committee and you know, Sir, in the Parliamentary Procedure the Leader of the Opposition becomes the Chairman of that Committee. The Opposition under the Parliamentary Procedure is given all facilities to scrutinise the accounts relating to the budget. So, if Government does not care to follow the procedure of the Parliament, it is not up to us to follow the same and it has been always the desire of this House and the Presidents who occupied the Chair to build up our own conventions. We ought to follow these conventions. On that ground, I submit to you that if you restrict and place us within this circumscribed limit, the useful purpose of this discussion will be entirely lost. In the circumstances, you being the custodian of our rights and privileges, Sir, know how at every step our rights and privileges are ignored or trampled down. Therefore, you should not pass such restrictions on us which will further encroach upon our rights and privileges.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, during the last few years, our convention was not to allow general discussion on supplementary budget. It was restricted only to the particular items and no general discussion was allowed.

Mr. BANKIM CHANDRA MUKHERJEE: Sir, I think in this discussion we are rambling and going beyond what we have to look to. The first thing which we have to consider is the Government of India Act under which we are sitting here and which governs the procedure in this House. If you look to sections 80 and 81 of the Government of India Act which deal with the financial statements and supplementary budgets, you will find

that the point has been cleared up beyond doubt. Section 80 deals with authentication of the schedule specifying the original budget. I need not refer to that. I will refer to section 81 which deals with the supplementary statements of expenditure. I am now reading section 81, and I request honourable members to consider this section particularly:

"If in respect of any financial year further expenditure from the revenues of the Province becomes necessary over and above the expenditure theretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers a supplementary statement showing the estimated amount of that expenditure, and the provisions of the preceding sections shall have effect in relation to that statement and that expenditure as they have effect in relation to the annual financial statement and the expenditure mentioned therein."

Therefore the procedure that is to be followed is the procedure that is generally followed when the original Budget Statement is prepared and the Budget is sanctioned and authenticated by His Excellency the Governor. The previous sections 78 and 79 deal with how the annual financial statement is to be presented and considered in the House.

Therefore, I think the procedure that is to be followed in regard to the Supplementary Budget would practically be the same as when the original financial statement is presented with reference to the items in the Supplementary Budget.

Mr. BIREN ROY: Sir, the Leader of the House just now said that the convention is that generally the original budget is discussed first and then the supplementary estimates are placed. It is a very dangerous——

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of personal explanation, Sir. I never said that. I stated that in discussing the original budget all matters connected with the administration of the province should be discussed, whereas in discussing the Supplementary Budget that cannot be done. Here you will have to confine yourself strictly to the items of additional expenditure that are set forth in the Supplementary Budget.

Mr. BIREN ROY: That is exactly the point that I was going to mention. I was trying to point out how dangerous that procedure is going to be in future, because Government in that case will present a fictitious budget in this House just to provide for the salaries of the Hon'ble Ministers, the Parliamentary Secretaries and also of those honourable members who support them and not a full-fledged budget, because they do not want us to discuss the budget till the end of the year and we have no hand in stopping it or reducing the demands for grant or even to refuse them, or even to discuss them.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The House can certainly discuss the item set forth in the supplementary budget and discuss even the policy underlying them; you have perfect liberty to discuss them but not matters relating to other matters of general administration; whereas in the case of original budget you can discuss almost anything.

Mr. SHRISH CHANDRA CHAKRAVERTI: There is one item of general administration also in this budget.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The particular question which a demand raises, you can certainly discuss that.

Mr. NAGENDRANATH MAHALANOBISH: May I say a few words, Sir, with your permission? As far as I have been able to understand the

debate, I think there is really no dispute between us and the Chair. Your ruling, Sir, and the rulings which you want to cite of previous Presidents, really point to one and one fact only, namely, that in discussing supplementary budgets we must confine ourselves to the items referred to in the supplementary budget and we are not generally permitted to discuss the general policy of Government in respect of any other matters not mentioned or included in that supplementary budget.

Mr. DEPUTY PRESIDENT: That is exactly what I meant.

Mr. NAGENDRANATH MAHALANOBISH: Now, Sir, the Government of India Act prescribes the same thing. Suppose, Sir, that in a supplementary budget there is provision only for the Civil Supplies Department, I mean provision for additional expenditure in that department. We should certainly not be permitted to go into the police budget in that connection. Or, conversely, if it was the police budget we should not be permitted to discuss the civil supplies: so that what is meant by the various rulings is simply that we should confine ourselves exclusively to the items which make up that particular demand. We may in that connection, however, discuss all things necessary to criticise that particular demand.

Mr. DEPUTY PRESIDENT: Order, order. I am grateful to Mr. Moholanobish who has clarified the point so well. I am sorry that I was interrupted by several members when I was speaking some time ago on this matter. If honourable members had the patience to hear me for a moment, then there would have been no occasion for all this discussion and raising these points.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, it was not for interrupting you but for elucidation that I rose when you were on your legs.

Mr. DEPUTY PRESIDENT: But still you might have waited till I had finished. It is but common courtesy that when the Chair is on its legs honourable members should wait till he has finished. However, I am in agreement with Mr. Mahalanobish and that is exactly what I meant. I did not mean that in discussing the question of propriety of a supplementary demand the policy behind that demand could not be discussed. I did not mean that; I simply meant that a general discussion is not permissible in the course of a discussion of the supplementary budget.

Mr. NAGENDRA NATH MOHOLANABISH: I was just dealing with one aspect of the budget, namely, expenditure incurred under the head "Civil Supplies" and I was criticising the policy of the Government in regard to that Department. I submitted yesterday at some length as to how this Civil Supplies Department is being run. I do not like to tire the patience of the honourable members in going into further details because my experience is not different from the experience of other honourable members who must know much more than I do. But the one point to which I would like particularly to draw attention of the Government is that by using the machinery of the district authority in this Department of Civil Supplies they have brought in the District Magistrates and the subordinate magistracy, particularly the Subdivisional Officers, in close touch with traders and we do know that for circumstances perhaps beyond their control or owing to their inherent dishonesty these small traders in the mofussil have to meet these authorities, namely, the District Officers and subordinate officers and the subordinate magistracy in connection with the Civil Supplies Department and they go there to gain some end and that end is their business profits. Now, if in order to realise that end they have to grease the palms of those gentlemen, well, they would not hesitate to do it; and as one gentleman has said, every man has his price and therefore the district authorities and the subordinate magistracy also can be presumed

to have their prices. In this way, corruption goes on to the detriment of the consumers and the general public. If the district authorities and the subordinate magistracy can be kept aloof from the Civil Supply Department, I think the business would be run honestly and smoothly. It would be extremely difficult to disoblige a friend. That is the experience that many of the mofussil men have of the working of this machinery. The disadvantage is, after all, the disadvantage of the consumers. They do not get things at proper price and sometimes at any price. Why then Government is spending so much money over the Civil Supplies Department? What are the Enforcement Branch people doing? Those gentlemen who have retired as police officers—as police sub-inspectors or inspectors have been recruited as Deputy Superintendents of the Enforcement Branch. You can easily imagine the status and position of a Sub-Inspector or Inspector who has retired after working in the Police Department. Of course, there is something to be said against the Police Department. We all know that the Police Department is not above reproach and now these men are put in the Enforcement Branch with a view to check this profiteering and hoarding. Obviously, the idea was that these people having certain experience in police work they would better serve the purpose; perhaps they could, but at the same time the temptation was so great. Because they used to come across while constables or Sub-Inspectors, ordinary cultivators and poor men and other people of the country; but now they come in touch with rich people and traders and if the traders offer certain percentage of their profit to the Enforcement Branch people, they do not hesitate to accept. The result has been that the Enforcement Branch officers earn a good deal and the traders too to the detriment of the consuming public. Therefore, I would again ask Government seriously to consider whether it is any use keeping this sort of arrangement or whether the present arrangement cannot be improved. I venture to suggest that this system should be given a go-by, this huge amount of money should not be wasted in this way. On the contrary, better arrangements should be made eliminating the district authorities and subordinate magistracy from the Civil Supplies Department. They are contaminated by the traders or they have contaminated the traders, whatever it may be; but there is no doubt that there is contamination.

Let me now take the standard cloth item in this supplementary budget. The Government expected that there would be no carry-over of standard cloth but actually there is a carry-over of standard cloth of Rs. 131 lakhs. Sir, nothing could be more deplorable than this. While the whole of Bengal is now witnessing this spectacular cloth famine, you find Government carrying over for the next year cloth worth Rs. 131 lakhs. Is it for the reason that there is no demand for the cloth or is it for the reason that they cannot distribute it? We must assume naturally that there is a very very keen demand for standard cloth or any sort of cloth in Bengal today. Therefore, the inference is that Government cannot distribute, their agencies are insufficient or inefficient to make the proper distribution. This is certainly a situation which people should not tolerate. After so much of expenses, so much of heavy establishment, why should there be a situation of this nature that Government are not in a position to distribute the standard cloth which they have in their possession and for which there is so keen demand in the country? From the Government's own statement it is perfectly clear beyond all reasonable doubt that they are not in a position to cope with the situation. Therefore I would just like the Finance Minister to look into this matter and to refuse this particular department any financial help, because that department cannot do its duty properly. Why should he sanction money to a department which is hopelessly incompetent according to their own statement?

Now, Sir, it is necessary for me to say one word more on this point and that is this that the Government should seriously think of forming a board—a separate board of non-officials at the top and at the bottom. While

receiving the goods and distributing them, it should be done through non-officials. This would mean that the establishment expenses of the Civil Supplies Department would automatically disappear, and therefore there cannot be any room for criticisms against the Government officers about their conduct. There cannot possibly be any charge of corruption or bribery, and I think that the consumers will get their goods quite all right without any difficulty, and the hoarder and the profiteer would have very much less scope in their nefarious trade. I do not like to take the honourable members' time by dealing with other items; but if I have been able to place the grievances of the public at large on the matter of civil supplies, I think I shall have been amply repaid.

Rai Sahib JOGENDRA NATH RAY: Mr. Deputy President, Sir, the practice of presenting a supplementary statement of expenditure for the current year is growing to be an evil custom in the politico-financial system of this province and like all evil customs in the body-economic of the country smacks of a veiled dictatorship of the Ministry over the legislature. If by courtesy we call the Ministry an executive (which it is not under the new Act), then it is a case of executive independence on the part of the Ministry which is emulating the example of the said system on the part of the Governor. Love of power is infectious or how else the Ministry could assume that it would get the estimates passed by the dumb-driven followers of it when major portion—75 per cent. of the expenses have been already spent? Not to speak of the opposition were the supporters of the party in the know about the mode of procedure and nature of expenditure of the items under the supplementary head.

Sir, I admit that emergency occasions do arise when it is necessary for the executive to spend a sum of money and assume the sanction of the House for the same. As head of one of the most important municipalities of this Province I know that such initiative should remain in the executive, but the emergency thus spoken of should be a real one and not party-created to somehow patch up the members of the Party by the adhesive paste of war contracts, services and other emoluments.

It will require a high stretch of imagination to consider that the repairs of houses of the Chief Minister and of the hostel of superior staff come under the head of emergency. Moreover, one fails to understand why repairs to these properties should be done at Government cost.

Sir, coming to the most important item of expenditure, namely, capital outlay on Provincial schemes due to war, which absorbed about 49 crores—an excess of so many crores over the original estimates—how was it that there was such loss of balance between the actuals and the provisions made in the budget? The programmes envisaged by the Ministry remained programmes only and many of them did not see the light of the day in actual realisation. The Minister best knows when the much-vaunted boats will swim over the rivers of Bengal laden with cargoes of the supporters of the Ministry.

Sir, the Civil Supplies Department—that glutton child of the war—with a limitless capacity to devour with both hands—has absorbed several crores for its reorganisation. Has it been reorganised in a civil manner to show civil ways of the fattening of the bellies of the friends, relations, supporters of the party in power escaping the scrutinising eyes of the audit and the House? It is the department said to be dealing with black-markets—and the method of dealing is also black and the fund of the thing is that everything that comes out from the department is tainted with black—the symbol of sorrow, of death, of sin, of devastation and the faces carrying on this black business are getting more and more red and white alternately. And the most interesting episode is that the Ministry is black-mailing the public with the Publicity Department of the Government organised by this budget on a wider and sounder footing so that by constant repetition of lies in a loud voice, it can give the lies an appearance of truth.

The post-war reconstruction is another pet child of the Government's fertile brain and it is supplying the different ministers scope for indulging in all airy imaginations which were their wont in their youthful days. The reconstruction perhaps is of the party in power which is being given more communal virus to make it more hated and venomous and endanger the interests of the mass in the future. The reconstruction committees are functioning with schemes which propose to make the rich richer and the poor poorer. But I should remind the Minister concerned that any scheme based on capitalistic individualism which aims at the hectic industrialisation of the country at the expense of agriculture is sure to be doomed and bring disruption in the socio-economic life of the province. Any reconstruction worth the name should be a planned one—based on gradual and balanced expansion of the agriculture, industrial commercial, fishing, mining and other industries of this province.

In short, this supplementary estimate shows a lack of keen foresight and also a lack of planned and methodical approach to all the vital problems of the war time and post-war periods and lastly it is a diabolical attempt at creating a so-called glamour for the public as a vote-catching device upon which the Ministry likes to take its future stand.

Alhadj Khan Bahadur SHAIKH MOHAMMAD JAN: Sir, the Supplementary budget for 65 crores of rupees as has been presented by the Hon'ble Mr. Tulsi Chandra Goswami is a little less than the whole revenue of the province of Bengal and it shows how the public opinion is flouted and the Upper House is regarded as a mere debating society, the verdict of which is quite immaterial when a huge sum has already been spent. Sir, as I have said many times before, that the present Administration has become completely rotten and it is high time that it should be amended or ended. There is no denying the fact that the present Ministry is sustained by the European members of the House as well as of other House who form the backbone not only of the present Ministry but of any Ministry which is formed under the present constitution. Evidently, they are supporting one-party Government in spite of visible defects for the sake of the propaganda value which Britishers are getting in America and in other places, that a popular Government is working in Bengal, though this has been thoroughly exploded by one non-official representative of India Mrs. Vijaylakshmi Pandit, who is now regarded "as a menace to good relations between England and America". But, Sir, in this country it is the foreigners who know more of the country than we the children of the soil. It is impossible that people of America do not know what actually is going on in Bengal and other places where popular Governments are allowed to function so long they are suppressing civil liberties of the people. While the Commerce Member of the Government of India says on the floor of the House that Bengal has been supplied with more cloth than any other province in India, there is still a cloth famine in Bengal and the people are not getting sufficient cloths, even to cover their dead bodies and they are being burried without sufficient cloth necessary for Mussalman as well as Hindu deceased bodies. Therefore, I can say without any fear of contradiction that my European Colleagues who are experienced businessmen know better than I know the scandalous state of affairs prevailing in this province, and still they are supporting the Ministry and thereby are making the people of Bengal more miserable and unfortunate, and wretched. I hope that the supporters of the Government will therefore reconsider their position, if they cannot force the present Ministry to make room for an all-parties Government, as an all-parties Government alone can alleviate the pitiable condition of the people of Bengal. With these words, I record my disapproval of the supplementary budget.

Mr. SHRISH CHANDRA CHAKRAVERTI: Mr. Deputy President, this supplementary budget which has been presented before us shows practically that it is a budget of the British Government. Most of the expenses

under items Nos. 33, 34, 35 and 36 practically cover nearly Rs. 64 crores and these are really the outcome of this war. As a result of this war all these expenditure had to be incurred. The last budget which was presented by the Finance Minister was a budget of thanksgiving to the Central Government for the munificence shown by them in giving us some grant and the Hon'ble Finance Minister was profuse in his thanksgiving. But this 64 crores of rupees expenditure is the outcome of the war and I challenge any one to contradict it. Now, Sir, this war has been whose making? It is not in the interest of India that this war is being fought. It is in the interest of the British Imperialism that this war is being waged. But I have nothing to say with regard to that. What we feel is that this budget, instead of coming through Mr. Tulsi Chandra Goswami, should have come straight by registered post from White House to Delhi and from there to the Governor's House. That would have been the proper course. But it is the most important part of the thing that they must have some people to show that this has the consent of British India and that British India in their own interest are doing this. So the present Ministry is carrying out this business as an agent of the British Imperialism in connection with the war. That is the real psychology underlying this supplementary budget here. We have heard from our friend Mr. Mahalanobish the sordid condition in the mofussil of Bengal which is full of bribery, corruption and dishonesty. I may ask a simple question—why is it so? These officers—as much as we—are men of this country. They ought to have the country's interest in their heart. Why then there should be black-marketeers and profiteers and all sorts of "teers" which brings out tears from the eyes of the people.

These Hon'ble Ministers have certainly been elected on popular franchise and are as much popular representatives as we are. What is the reason for this bribery and corruption that is now going on? Why they are carrying on propaganda—war propaganda on behalf of British Government and nothing for alleviation of the trouble of the people? Why they are carrying on war-work on behalf of their masters and our masters, the Britishers? The whole thing has been reduced to the relationship of master and servant and like the servants whenever there is a chance they pocket some money in the course of their doing the work for the masters. The examples of these Ministers are being followed by their supporters and officers. All people are not heartless criminals. They know very well their own kith and kin, probably their brothers and sisters are going without food, without clothes but inspite of this they are party to this bribery and corruption. You cannot prevent them unless they do themselves realise their folly. You can take a horse to a tank but you cannot compel it to drink water. The Hon'ble Ministers are telling us "Well, we have given you non-official committees but these committees have not been without blame." (Mr. NAGENDRA NATH MAHALANOBISH: There also the officials are at the top.) Yes, that is what I was going to say. Such an atmosphere has been created that the whole mentality has been changed like this. Well, here is a hard competition as to who can feather his own nest at the earliest possible opportunity. In England before the war and even now the increase of prices have not been more than 20 per cent. and here it is more than 400 per cent. England does not grow food there for the whole year for the entire population. Even inspite of that they have enough. Take the case of other provinces, managed by the Governors and their chosen counsellors; they have built up reserves, the people there are well-fed and well-clad: whereas in Bengal, which is the most important base for the operation of the Britishers, the people are ill-fed and ill-clad and are on the verge of extinction. What is the cause of all these? There is corruption in the administration from top to bottom. I remember the other day while replying to the Budget Debate the Hon'ble the Finance Minister was asking us to improve the morality of the public. I fully agree with him there but are the Ministers not the custodians of the rights and privileges of the public and will they not set examples worthy

of emulation? You have not taken the Opposition into your confidence when you appointed several committees. Does it then lie in your mouth to say that we ought to improve the public morale? We are not in possession of facts as to what is going on behind the screen. The other day we saw in the newspapers that Bengal must have already got at least 13 yards of cloth per head and this statement has been made by the Commerce Member of the Government of India. Up to now no statement has been made in this connection by our Provincial Government. The Hon'ble the Finance Minister is not able to answer all the points that are discussed here. I do not blame him for that; but the Hon'ble Ministers in charge of different departments should have been present here to answer the points relating to their respective departments, and especially our friend Mr. Suhrawardy is simply hiding his face, he is keeping mum, and he is making no statement whatsoever as to what he has done with regard to cloth. Where this cloth goes? Is it not a criminal neglect on his part that the cloth should disappear as if by the touch of a magic wand? But, even now the Hon'ble Ministers who are the representatives of the people do not care for this state of things, so long as they think they have got votes. They will have votes as long as they have crores of rupees at their disposal. Many people have inquired of us as to how long this Ministry is going to last? Our reply was that so long as they are in possession of mony they will continue as Ministers. If they cannot manage to keep their Ministry going even with so much money with them, they are the biggest fools. So with this money at their control they must go on merrily. But the Ministers are human beings after all, and so they must have some amount of human kindness in their hearts. They ought to give some answers, make some statements and thereby enable us to understand what is really going on behind the scene.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I agree with the previous speaker, Mr. Chakraverty, that the Hon'ble Minister-in-charge of the Civil Supplies Department or for the matter of that the other Ministers against the administration of whose departments charges of bribery and corruption have been levelled should have been present to listen to the remarks that are made from different groups in this House. We on this side have on many a previous occasion drawn the attention of the Chair to the indifference so systematically shown to us. It appears that the Hon'ble Ministers attach more importance to the business transacted elsewhere than to the business of this House.

Sir, coming now to the Supplementary Budget, I would like to make a few observations. It is, indeed, very unfortunate that this House should be allotted only two days for the discussion of the supplementary estimates for the current year. We have no right under the Act to move cut motions, a privilege which our friends elsewhere enjoy. It is not possible, therefore, within the limited time at our disposal to do justice to the work before us. The Supplementary Budget estimates involve an expenditure of Rs. 65 crores, and we are asked to offer our criticisms thereon within the very short time allotted. Formerly, the Bengal Budget amounted to Rs. 12 or Rs. 13 crores, and two days were generally allotted for its discussion, but for the Supplementary Budget which is five times bigger, the House has been practically allotted only two hours—the first hour each day being taken up in answering questions. This is preposterous. The Supplementary Budget covers a variety of items, 38 in all, on which expenditure has already been incurred by Government, and we are called upon to approve of it!

The object of the present discussion is not to seek to restore money that has been wrongly spent. The object is to warn Government against the repetition of their performance of the current financial year. It is a prodigal waste of the poor tax-payers' money benefiting only the privileged few. Corruption, bribery and nepotism in the administration of the various

departments, particularly the department of Civil Supplies, Defence and Works are an open secret, and this cannot be too highly condemned. The Honourable Ministers are no doubt well aware of them. It passes my comprehension as to why these estimates were not placed before the House earlier and why does the Finance Minister want us to put our seal of approval on the same at the fag end of the year. Sir, the public were heartened by the assurance given by His Excellency the Governor in the course of his broadcast talk sometime ago that efforts would be made to stamp out corruption, but it appears that malpractices of all kinds are still rampant in this province. While millions of people died of starvation, it was the good fortune of some to make their pile at the cost of their less fortunate countrymen. Last year's food famine has been replaced by an acute cloth famine this year. Where is then respite for the people? Although the scarcity of rice is not so keenly felt this year, the general price-level is more than three times the prices obtaining in normal times. This is hardly any relief to the poor. Acute shortage of food has been followed, as I have said, by an acute shortage of cloth, so much so that it has become a scandal. Do the Hon'ble Ministers want us to believe that it is beyond their capacity to tackle the problem? If they are really powerless in the matter, then why don't they resign and make room for those who would be better able to bring to the suffering masses? It may be argued on behalf of the local Government that the supply is deficient and that the Centre is responsible for it. Where, then, is the remedy? What is the Ministry doing? Why are the Honourable Ministers still clinging to their jobs like so many bloated leeches and carrying on in the name of democracy an administration which is corrupt from top to bottom? This is a standing disgrace and is shameful to a degree. Then, Sir, the next question that naturally arises is that of equitable distribution of the available goods. If supply is less than the demand, then the remedy lies in a proper organisation of distribution. Haphazard and sporadic rationing in a city or a subdivisional town will not do. We want a comprehensive scheme of rationing for the whole of Bengal. In the mofussil, as in Calcutta, this scandal has reached its peak. Rush in front of cloth shops is a daily phenomenon. There is none to regulate queuing, with the result that serious accidents happen, particularly to women and old men who have to wait for hours in the burning heat of the sun for a piece of *saree* or *dhuti*. The Hon'ble Minister in charge of the Civil Supplies Department complains of inadequate supply of cloth. If the position is carefully analysed, we find that during the five months ending November 30, 1944, Bengal received for civilian consumption about half a yard of mill cloth per head more than any other province in India. The Bengal mills, we are told, produce 24,758 bales for civilians; while from outside Bengal received 137,089 bales for civilian consumption, totalling 191,847 bales. This works out roughly at 4·7 yards per head of the population of Bengal according to the last census (1941). If Bengal received 4·7 yards per head of population against the total production of 4·3 yards of mill-made cloth per head of the civilian population in the whole of India, and having regard to the fact that the handloom production in this province during the same period of five months was 1·1 yards per head, could it be conscientiously said that the distribution per capita was proportionate to the supply obtained? Thus it will appear that Bengal had 5·8 yards of cloth per head of population for civilian consumption which comes to 13·9 yards per head per year against the consumption of 11½ yards and against the quota of 10 yards per head as fixed by the Central Government. Sir, the whole thing is shrouded in mystery. May I ask the Hon'ble the Civil Supplies Minister where has all this cloth gone? (MR. HUMAYUN KABIR: He is also shrouded in mystery) I pause for a reply—but who will reply to the points raised? Will the Hon'ble the Finance Minister reply in the absence of his colleague? There must be something rotten in the State of Denmark. Can one be blamed if in these circumstances one accuses Government of inefficiency, nepotism and

corruption and indifference to the vital needs of the people? In spite of the much-vaunted achievements of the present Ministry, we find that the people have gone without food, without cloth, without medicine and without many essential articles of daily use. Thousands are dying of preventible diseases, such as malaria, cholera, smallpox, etc. The Bengal Government has become totally bankrupt both financially and intellectually, as will be evident from the huge Budget deficits. Every session we are called upon to consider taxation measures of some kind or other. In spite of fresh avenues discovered for augmenting the resources of the Province, the deficits are mounting. Where does the additional income go? The Hon'ble the Finance Minister should answer as to why inspite of the additional receipts the margin of deficit is not being reduced. Is this income being applied to wipe out the deficit? The answer must be a simple, unqualified "No". We find to our utter chagrin that expansion of the departments is taking place and posts are being created for the benefit of the Ministry and their adherents and supporters. Sir, I was surprised to read in the columns of the newspapers an account of the recent visit to Khulna of our venerable Leader of the House, Khan Bahadur Muazzemuddin Hossain, Minister in charge of Agriculture. Unfortunately he is absent today. I do not know whether the Finance Minister would be in a position to answer the points to which I shall presently refer. Addressing a public meeting during his two-day tour in the district, the Khan Bahadur is reported to have indulged in a homily on the subject of the scarcity of cloth in Bengal. He advised the audience to grow more cotton and take to spinning and weaving in order to make themselves self-sufficient in the matter of cloth. I am afraid, the Khan Bahadur cannot be credited with originality in regard to this advice. I am glad that he has at last recognised the value of the *charkha* cult of Mahatma Gandhi which he has been obliged by force of circumstances indirectly to support. Instead of giving his listeners advice *gratis* the Hon'ble Minister should have given an assurance to the public that the distribution of the available cloth would henceforth be made on a more equitable basis and that the Government of Bengal would not relax their efforts in obtaining from the Government of India further supplies of cloth for the benefit of the people. Sir, the supplementary estimates presented to us are a mass of undigested material. No satisfactory explanation has been given for spending Rs. 65 crores. It is very difficult from the brief notes appended to the estimates to form a correct idea as to whether the expenditure incurred was at all necessary or whether or not Government could, if they had so desired, have reduced the expenditure to an appreciable extent.

Now, Sir, turning to the question of corruption, it may be said that it has reached its climax. The Honourable members of this House are well aware of what is taking place in the mofussil. It may be that the supply obtained from the Central Government is not sufficient to meet the requirements of the people, but whatever supply is received vanishes into thin air and the Government are not in a position to offer any explanation for the unsatisfactory distribution of cloth. It is common knowledge that members of the staff of the Civil Supplies Department with rare exceptions obtain their personal supplies and also supplies for their relatives from the licensed dealers. (A VOICE FROM THE OPPOSITION BENCHES: Also free of cost.) I do not go so far as to say that they obtain their supplies free of charge, but it is a patent fact that the claims of these officers are first considered in disposing of the stock, and the licensed dealers, as you will realise, cannot disoblige them for fear of losing their business. With these words, Sir, I resume my seat.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, the Supplementary Budget which has been presented to us this year, reminds one of a Bengali proverb. We have in Bengal a saying that there is a class of pumpkins which are 12 cubits long but they have seeds which are 13 cubits

in length. Now, Sir, the Supplementary Budget of the Hon'ble the Finance Minister is, I think, an apt illustration of that familiar Bengali proverb. I do not know, Sir, why it has been called a Supplementary Budget. I think the name is itself a misnomer. There are 38 items for which demands for grants have been made. In this House we do not have the right to vote on demands, but we have the right to discuss every item which is covered in the Budget. In these 38 items, there is no aspect of either any administrative act or any question of policy for which the present Government has been responsible that cannot be scrutinised. In fact, Sir, any attempt to deal even cursorily with the different items covered in the Supplementary Budget would require a survey of the entire administrative operations of the present Government, the policies they have framed and the manner in which they have mismanaged affairs.

Sir, my honourable friends who spoke before me have referred to the forlorn appearance of the Treasury Benches at the time of the discussion of the Budget. Is it, Sir, a sad recognition on the part of he present Council of Ministers that they have failed miserably in discharging the duties with which they are entrusted and that they have reduced the condition of the finances of the Province to the same forlorn state which their benches present today? We have also found that the Hon'ble Minister for Civil Supplies has been conspicuous by his absence for a long time in this House. One honourable member speaking earlier referred to the mysterious disappearance of the stocks of supplies and also the mysterious disappearance of funds of the administration; we now find that the Hon'ble Minister for Civil Supplies has also disappeared as mysteriously as the funds over which he has control. One does not know if these two disappearances, equally mysterious and equally significant, do not have some relation between them.

Now, Sir, it is the right of this House to demand that when the Budget is discussed the Hon'ble Ministers should be present in this House in order to listen to the criticisms which are made, especially in view of the fact that we in this House do not discuss the grants, item by item, but discuss them generally. The Hon'ble the Finance Minister has himself often admitted that suggestions and criticisms which are made in this House are of value. I think it is belying their statements and admissions if they say that this House has made valuable suggestions and then abstain from participation in the proceedings of this House.

I should like to confine myself to only two or three items out of the huge Budget which has been presented to this House, a Budget which runs to the extent of almost 66 crores of rupees, or in other words, which is almost four times the normal Provincial Budget of the Province of Bengal. Normally, therefore we could have expected for discussing the Supplementary Budget at least four times the period usually allotted for the discussion of the annual budget in this Council. It would not do either to say that this is after all a Supplementary Budget, for as I submitted a moment ago, Sir, it is a Supplementary Budget only technically I would rather call it an Additional Budget, or an Extraordinary Budget or a Bankruptcy Budget or a Budget of Disappearance or a Budget of Mystery; call it by what name you will, Sir, but it is certainly not a Supplementary Budget by any standard or test or canon that may be applied.

Sir, it will not be possible for me at the very short time at my disposal to discuss the different items in this extraordinary Supplementary Budget. I shall confine myself to three or four items only. I would take up first the much-discussed and still-discussable grant, namely, grant No. 35, which accounts for almost 49 crores of rupees. I think, Sir, this figure of 49 crores is also rather significant. We in Bengal and also elsewhere in the world associate the figure 49 with something queer and awry. I do not know if this figure 49 has any peculiar association for my British and Scottish friends. In Bengal, this figure is associated with "lunacy", and

I believe that in certain European countries as is proved by the reference to the 49 Aeolian winds, there is a suggestion of lunacy. I do not know whether it is merely an accident or a mysterious working of forces which we do not understand that has made this grant No. 35 amount to the figure of 49 crores.

The European group does not often agree with me, specially when political matters are discussed; but I do not think that even they will disagree when arithmetical calculations are concerned. Two and Two make four; every one must agree to this to whatever group or party he may belong. One of the members of the European party, a man with great experience of business, compared the budget to the presentation of the Annual Statement of a Company. He also said that we are in the position of share-holders and the Finance Minister is the managing director with the other Ministers as fellow managing agents. I think that the analogy, whether a chance coincidence or consciously intended, is a very happy analogy. We know that managing agents are provided with certain fees; but, we also know that the managing agents have control over the funds of a Company; they can operate and manipulate the resources of the Company and very often the earnings of the managing agents are very much greater than what is provided for or shown in the returns of the Company. We find that there is, therefore, a move to abolish the system of managing agents altogether. When the honourable member referred to the Council of Ministers as managing agents, I do not know if he was thinking only of those managing agents who use or misuse the funds of the Company. It is known to almost all of us that few concerns, few limited companies have failed through the fault of their share-holders; if any company has become bankrupt, it has been entirely due to the corruption or inefficiency of the managing agents. It seems to me that probably both these points were in the mind of my honourable friend when he applied the analogy of managing agents and Managing Director to the present Council of Ministers who administer the funds of the province today.

Now, Sir, coming to the demand, I would make a special reference to the grain purchase scheme. We find that the cost for this purpose was budgeted at the figure of 65 crores, or to be exact, Rs. 64,78,00,000. In the revised estimate we find that this figure has gone up to 78 crores, or in other words, 14 crores in excess, which is bad enough. I do not think my friends to my left would keep for a single day a managing director or a managing agent who miscalculates to the extent of 14 crores of rupees when operating with a capital of 64 crores of rupees. A miscalculation of this extent—a miscalculation of almost 25 per cent.—would immediately put out of court any managing agent who managed the operation of a private company.

I would now ask honourable members to look at the figures of expenditure. Here, the Hon'ble Finance Minister, the Civil Supply Minister and the Council of Ministers as a whole have excelled even themselves. In the case of the estimates of purchase price, the error was something in the region of 25 per cent. In the case of the sale proceeds, the original estimates were Rs. 75½ crores, whereas the actual sale proceeds are only 35 crores! So there is a mistake only of 40 crores! I ask my honourable friends to my left whether they feel that a set of managing agents who mismanaged and miscalculated to the extent of hundred per cent. and whose miscalculation led to a loss of about 100 per cent. of the money with which they operate, are entitled to continue in the management of their company?

In the case of another item, where the budgeted loss was shown as something like 5 crores, the actual loss incurred was 14 crores—again an error of nearly two hundred per cent. With all this, does it lie in the mouth of the Hon'ble Finance Minister to say that these are unusual times? That the cases were not foreseen? We are not dealing today with the budget of

1943-44 when sudden expansion of the Civil Supplies Department was undertaken and an unexpected burden imposed on the administrative machinery. We are discussing today the budget for 1944-45; we are making a *post-mortem* examination of the 1944-45 budget, for 1944-45 is almost dead. Even after one year's weathering of the worst condition that the province has ever seen, it seems that the present Cabinet cannot learn by experience. I ask my friends opposite and to my left to consider whether they can with equanimity and confidence keep the management of the province in the hands of a set of managing agents whose miscalculations are sometimes 200 per cent. and sometimes 100 per cent.?

These are cold hard figures and I will not add to what has been said by different speakers. We have heard again and again about corruption and inefficiency and I do not wish to add anything to what has been said. The picture has been presented as forcibly as possible. Can the managing agents give any explanation of their huge miscalculations in the accounts?

Now, Sir, I come to grant No. 34. A demand is made for about 10 crores, which was almost the entire budget of the province of Bengal before the days of Provincial Autonomy. I think the whole budget was in the region of 13 or 14 crores then. Now, a demand of Rs. 10 crores has been made under a single head. Here also we find the same story—we find the story of inflated establishment. I have worked out the items under grants 34 and 35 only. We find under these two heads an establishment charge of something like a crore of rupees. As one honourable member after another has made out, this money which has been spent on establishment has been so much money wasted.

When he was replying to the General Discussion of the next year's Budget, the Finance Minister referred to the effects of corruption. He said that corruption was general and ripe in Bengal today. He said non-officials had been associated with some of the committees set up by the Government. I ask the Hon'ble the Finance Minister to say if he can make the statement in an unqualified manner. It is true that at times he has associated non-officials with some of the committees he and Government set up; but were not those non-officials selected solely on the ground that they were more amenable to their influence and to the interests of the present Ministry? We have demanded both in this House and elsewhere that non-official committees should be elected by the alternative vote or by the single transferable vote, or by ballot by the members of the Legislature. I am sure that if non-official advisory committees of that type are set up with power of control over the accounts and the financial operations of this Government, there will be some real check upon the abuse and misuse of money which are today turning Bengal into a bankrupt province. Instead of selecting personnel of the committees in this way, the Government have selected persons from their own groups. Very often these selections have been to their own advantage. The consequence is that the committees have done more harm than good.

Speaker after speaker has stated that whenever cases of corruption have been brought to their notice, Government have been loathe to prosecute. I can give one instance to which the attention of Government has been drawn both in this House and in another place. Sir, large quantities of Government stocks of cloth and sugar disappeared from the Faridpur Central Bank. Definite allegations or charges were made against certain persons. Persons were named but no steps have been taken against them. Only one or two poor durwans were dismissed or prosecuted. The poor door-keepers made the statement that the keys were not kept with them. They said that the doors had been opened with the keys and bullock carts brought to remove the articles. Now, Sir, in spite of these charges of corruption, the officers

of the said Bank continue merrily. If the Government yet say that non-officials do not co-operate or are not prepared to co-operate to check corruption, well, it will be speaking with their tongues in their cheek. If they speak too often with their tongues in their cheek, the tongue may damage the cheek.

We find in almost every sphere the same sorry state of affairs. We find that there has been extra expenditure under the head Police. I understand this is due to the creation of an Enforcement Branch to check corruption. Previous speakers have stated that these newly-appointed persons are mostly retired subordinate police officers. They have suddenly been placed in posts which carry a good deal of responsibility with opportunities of great financial advancement. Sir, the Police Department reminds me of a story which a senior police officer of a high status once told me. He said that in this country of ours, there is the village *pundit* or *gurumahasay* who throughout his life gets Rs. 5 a month. The pupils whom he teaches become Magistrates, Judges or even Ministers. The Magistrates or the Ministers earn as much as Rs. 2,000 to Rs. 10,000 or even more, but the *pundit, mahasay* earns Rs. 5 all his life. He said that the police officers were like the village *pundits* in the matter of corruption and bribery. They may have taught corruption, but they have been surpassed by other high officials. They cannot but remember with a tinge of regret that though they were pioneers in the field of corruption, still they remain where they were, while others have left them far behind!

Sir, I next come to Grant No. 30 which relates to expenditure under Famine. Almost 70 lakhs of rupees were spent under this head. Here also we find that the amount of money spent is not commensurate with the amount of relief which has been secured. I think that is a complaint which is universal. Honourable members opposite have in private and in public ventilated their grievances again and again that the money which is spent from the Exchequer, the money which is contributed by the tax-payer, is not properly utilised. I ask the Hon'ble the Finance Minister to scrutinise these expenses, because as the custodian of the finances of this Province he is not only entitled to but it is his duty to look into the details of the other departments. It is his duty to see where all the money goes. There are grants for mepacrine, there are grants for distribution of blankets and cloth; and yet we know what is the condition in different parts of the Province. We know that the results have not been commensurate with the actual expenditure incurred. Sir, there are so many things which one would like to discuss, but, as I said at the very outset, Government are afraid of publicity. There is a saying that owls and other creatures of the dark are afraid of illumination. Public criticism is a kind of illumination, and therefore, the present Council of Ministers are afraid if there is too much discussion about the Supplementary Budget, if every grant is dissected and analysed and brought to the light of day, perhaps they will feel uncomfortable. They are afraid to stand the scrutiny of light. That is why they want that the Budget of 68 crores of rupees should be hurried through in two hours.

In a few minutes, the Hon'ble the Finance Minister will be rising to reply to the debate, but as I have not yet finished and as I want to deal with some other items at greater detail, will the Hon'ble the Finance Minister give me an assurance that he will postpone his reply till Monday?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I personally have no objection, but the point is that I cannot say on behalf of the Government without consulting the Leader of the House.

Mr. HUMAYUN KABIR: Well, Sir, in that case, if this is the position, and if the Hon'ble the Leader of the House is absent when there is discussion of an important subject, then we may adjourn for the time being

till the Leader of the House comes back. You will remember, Sir, on previous occasions we adjourned temporarily for the Leader of the House to come back and be present in the House at the time of the discussion of the Budget.

Mr. LALIT CHANDRA DAS: It is necessary, Sir, that the Leader of the House should be present here.

Mr. DEPUTY PRESIDENT: Professor Kabir, I think, it is advisable for you to continue till the Hon'ble the Leader of the House comes back. Have the Government any objection to the debate being continued till Monday?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I am most anxious to accommodate the honourable members; but the honourable members should realise that they have sprung a surprise on me at the last moment, and I cannot speak on behalf of the Government in a matter like this without consulting the Leader of the House.

Mr. LALIT CHANDRA DAS: Sir, the point is that we are not unwilling to accommodate the Hon'ble the Finance Minister as far as it was possible within our limits. But now, Sir, it appears that speakers are rising one after another, and therefore we desire that one more day may be conceded for the discussion of this all-important budget.

Mr. DEPUTY PRESIDENT: Mr. Kabir, you may go on.

Mr. HUMAYUN KABIR: I live in hope. Since the Hon'ble Finance Minister is willing to accommodate us, I think the point will probably be met. Well, Sir, in that case I would for a moment return to grants Nos. 34 and 35 and make a passing reference to a point which has been partially stressed by one of the previous speakers. I would like the Hon'ble Finance Minister to consider it with the greatest amount of attention of which he is capable. I refer to the question of standard cloth. I am specially persuaded to make a few remarks in this connection because of what fell from my honourable friend, Rai Keshab Chandra Banerjee Bahadur. The Hon'ble the Leader of the House goes to Khulna and asks the people to spin and weave. Spinning of yarn is a very well-known and an ancient profession, though unfortunately spinning a yarn has today acquired a double meaning. Now, Sir, when the Hon'ble the Agriculture Minister wanted the people of Khulna to spin yarn, I do not know in what sense of the term he used that phrase. Was he asking that the people of Khulna should start cotton cultivation and after the cotton was ready, begin to build *charkas* and then start spinning? And after the process was completed only then they could find cloth for themselves? Sir, if that was his intention, then he was certainly spinning a yarn in the other sense of the term. This is the more notable in view of the fact that we find in the hands of the Government stocks of standard cloth worth almost one and a half. The question of spinning yarn arises only as subsidiary help to the demand for cloth when that demand cannot be completely met by mill-made cloth. Where cloth is available and cannot be utilised, where cloth is held in stock, there, in such cases this kind of advice from the Hon'ble Agriculture Minister is——

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I may inform the House that the Hon'ble the Leader of the House, as I expected, has been called away suddenly for work elsewhere but my Parliamentary Secretary, Mr. Roy Chowdhury, who has contacted him says that he has no objection to the debate being carried over to Monday if honourable members have no objection. His Excellency's permission will be duly obtained.

Mr. HUMAYUN KABIR: We are thankful to the Hon'ble Finance Minister for his efforts in securing us this concession but we would be more thankful if his operations on the budget of the province are more successful than they have been till now. This question of spinning yarn would be relevant if the cloth were not there. We all know that there is shortage of cloth in Bengal today. According to the statement of the Hon'ble Commerce Member of the Government of India, the position in Bengal is somewhat better than in the other provinces. That is the official statement and it may be officially correct; but, Sir, there is an old saying that nothing is true until it is officially denied and nothing is false until it is officially asserted. On paper, according to official statement, the position in Bengal is better that that of many other provinces in India. In fact, it is quite otherwise. Sir, in the course of the last month and a half, I had occasion to visit three or four important provinces in India. I have been to Bombay, to Madras, to Delhi and to the United Provinces. In all these four provinces, I found that conditions were incomparably better than in Bengal. In these provinces one can get cloth in the markets; whereas in the markets here, you cannot get a yard of cloth without influence. That is the experience even in Calcutta. You can easily imagine what is the condition in the rural areas. Spinning of yarns, if it is continued too long, would spin a yarn which would be too thin to support the present Ministry. Even the long-enduring patience of the supporters of the Ministry may ultimately snap.

My honourable friends to my left referred to the loss with regard to subsidised food. There also, as I had occasion to point out, there are very large figures which show an altogether disproportionate failure in accounting. Under grant No. 34, loss on wheat and wheat products and loss on food-grains other than wheat was estimated at 5 crores but the actual loss has come to 14 crores of rupees. This is in addition to the other figures to which I have already drawn your attention in discussing grant No. 35. In almost every field of expenditure and estimate we find this story of mismanagement and miscalculation. There is either utter inefficiency or light-hearted and careless management. Is it because the money does not belong to the Hon'ble Ministers themselves? The Council of Ministers are in either case guilty of gross neglect of duty. There is a saying in our province which reflects the indifference of the general public with regard to public finances, namely লাগে টাকা দেবে গৌরী সেন, which means: "If money is required, Gouri Sen will pay for it". The idea is that Gouri Sen is an entity other than the public of this Country. The popular idea is that the Governmental money is not public money. The public do not realise that every single pie of the budget is spent from moneys which have been derived from taxation. These are moneys which the public have paid. Every single pie wasted is public money wasted, the money of the poor rate-payers of Bengal.

Now, Sir, I come to grant No. 12. Under grant No. 12 in the General Administration, there are various items which deserve consideration. But I will confine myself to the amount of money which has already been spent under the head, "Training centre of army officers deputed to Bengal for civil duty". This item was once before discussed in this House. Almost all the members of this House, irrespective of the party to which they belong, protested against such extravagant waste. The Leader of the Coalition Party which supports Government raised his voice against this extravagant waste of public money. There is no case whatsoever for the training of army officers when recruitment to the I.C.S. and the I.P. is stopped. If men are available, if men can be spared, there are only two possible explanations. Either they are superfluous, and if they are superfluous, there is no defence for the principle which led Government to suspend the recruitment to the I.C.S. and Police services. If there is superfluity, there is no point in taking men temporarily from the Army

and incurring an additional and unnecessary expenditure in order to train them. If the I.C.S. and I.P.S. examinations were not stopped, perhaps, these men would have come permanently. The other alternative is that these people have been found worthless and the Army has no use for them. Therefore, either these men are superfluous or these men are worthless. On either hypothesis, the Government of Bengal is not justified in imposing upon the sorely-stricken province an additional burden in order to train them for temporary purpose. The money spent on their training will be lost when the war will be over and they go out of the province. When this proposal to recruit civil officers from the Army was brought before this House, even the Coalition Party members were unanimous in their protest. If these men are not recruited permanently, the money for their training will be wasted. It is criminal to waste money in the present acute stage of the financial condition of the province. I do not know what mysterious reasons have moved the Finance Minister and the Chief Minister to sanction payment under this head. I think it is the duty of this House to record once more its emphatic protest against the wastage of public money in this manner.

In this connection, I would ask one other question of the Finance Minister. We find an additional demand for money for dearness allowance and extra allowances to the officers of Government. Now, so far as the poorly paid officers of Government are concerned, we do not grudge any addition which is made to their meagre income. I would place in such class men drawing up to Rs. 200 or Rs. 250. In this present difficulty, every ten rupees would be welcome to them. But I do not think this applies to officers drawing Rs. 1,500 to Rs. 2,000. I was told in Delhi—and I would ask the Finance Minister to contradict me if it is not correct—by fairly responsible authority that the recommendation for additional grant of dearness allowance to highly-paid officers was much more generous in the case of Bengal than in the case of the Central or any other provincial Government. In the provinces governed by section 93 there is no recommendation for such large allowances, but the so-called popular Ministry is surpassing them. Of course, under the present conditions, there cannot be any popular Ministry. I would tell a story which I have repeated in many parts of India. Under the Government of India Act, 1935, the Ministers are like dolls. They are under the command of the permanent officials, and where there is a strong weightage of European members in the Legislature, under their direct control. Still there is one difference between the condition of these Ministers before the outbreak of war and today. Before the outbreak of war they were like Japanese, German or English dolls which move on spring. They could move of their own accord within their orbit, though not outside their orbit. Inside their orbit, they moved freely, being propelled by energy contained in the spring. But today, we are having bodies of Ministers who are not even like those mechanical toys: they are marionettes or wooden dolls which cannot move a single inch unless strings or ropes are pulled from behind.

Mr. DEPUTY PRESIDENT: Mr. Kabir, how long will you take?

Mr. HUMAYUN KABIR: Well, Sir, I shall require a few minutes more.

Mr. DEPUTY PRESIDENT: Then you speak on the next day also.

Mr. HUMAYUN KABIR: That would be all right, Sir.

Mr. DEPUTY PRESIDENT: I have got to inform the House that the dates for giving notice on amendment to motions for consideration in respect of Criminal Procedure Bill is 11 a.m. on 10th March and amendments to clause by clause consideration 4 p.m. on 12th March.

There is another thing to mention. If the House gets an extra official day for non-official business, will there be objection if we do not sit tomorrow?

Mr. HARIDAS MAJUMDAR: No, Sir.

Mr. DEPUTY PRESIDENT: I adjourn the House till 1-30 p.m. on Monday.

Adjournment.

The Council then adjourned till 1-30 p.m. on Monday, the 12th March, 1945.

Members absent.

The following members were absent from the meeting held on the 8th March, 1945:—

(1) Khan Bahadur Nazıruddin Ahmad.
(2) Khan Sahib Fariduddin Ahmed.
(3) Mr. Kader Baksh.
(4) Mr. Humayun Reza Chowdhury.
(5) Mr. K. K. Dutta.
(6) Khan Bahadur Abdul Gofran.
(7) Mr. M. R. Jaipuria.
(8) Maulana Mohd. Akrum Khan.
(9) Mr. W. B. G. Laidlaw.
(10) Khan Bahadur M. A. Momin.
(11) Mr. N. N. Mookerjee.
(12) Dr. K. S. Ray.
(13) Mr. S. N. Sanyal.
(14) Mr. Yakub H. S. Sattar.
(15) Dr. K. Talukdar.
(16) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-3111A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 14.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 12th March, 1945, at 1-30 p.m., being the fourteenth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Point of Information.

Mr. HARIDAS MAZUMDAR: Sir, may I know what has happened to the point of privilege which I raised the other day with regard to election to the vacant seat of Mr. Altaf Ali?

Mr. DEPUTY PRESIDENT: So far as I know, the date has already been fixed for the filing of nominations for election in that connection.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, Sir, only two or three days ago a notification was issued for filling the vacancy caused by the death of Mr. Altaf Ali.

Mr. HARIDAS MAZUMDAR: Evidently it has come after I raised the question on the floor of this House.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Because during the budget session we could not think of this matter.

Mr. HARIDAS MAZUMDAR: What date has been fixed for the election?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not exactly remember the date.

Mr. DEPUTY PRESIDENT: As far as I remember, 22nd March has been fixed for filing nominations.

Mr. HARIDAS MAZUMDAR: But why this delay and why this discrimination?

Mr. DEPUTY PRESIDENT: Mr. Mazumdar, you wanted the information and you have got it. Since Government have come to decision on this matter, there is little room for discussion of the same thing again.

Mr. HARIDAS MAZUMDAR: Sir, by this conduct on the part of the Government, a privilege of the House has been violated and I want your ruling on this point.

Mr. DEPUTY PRESIDENT: Order, order. Mr. Mazumdar, will you resume your seat please? Questions.

QUESTIONS AND ANSWERS

Hostel for the Muslim students in Calcutta.

55. Mr. NUR AHMED (on behalf of Maulvi Md. Habibullah Choudhury): Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether he is aware that there is a demand for a new hostel for Muslim students studying in different colleges in Calcutta; and

(*b*) whether the Government are considering the desirability of meeting this demand in near future?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) Yes.

(*b*) Government have since opened a hostel for Muslim students in the premises No. 55, Mirzapur Street, Calcutta.

Seats reserved for the Muslim students in Government and Government-aided schools and colleges.

56. Mr. YACOOB H. S. SUTTAR: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether there is any Government order regarding the reservation of seats for the Muslim students in the Govenment and Government-aided schools and colleges in Bengal;

(*b*) if so, what is the limit;

(*c*) whether such orders are not ignored by the heads of such institutions in Bengal; and

(*d*) whether there is any Government order saying that the heads of the institutions in Bengal are required to publish in their advertisements for admission, the available number of seats for Muslim students?

Mr. K. C. ROY CHOWDHURY, PARLIAMENTARY SECRETARY (on behalf of the Hon'ble Mr. Tamizuddin Khan): (*a*) Yes.

(*b*) (*i*) A statement showing the limit in Government schools is laid on the Table. Percentages of vacancies reserved for Muslim students in aided high schools are fixed with due regard to local circumstances and to the proportion of Hindu and Muslim population in the district, subject to the approval of the Divisional Inspector of Schools?

(*ii*) 25 per cent. of seats have been reserved for admission of Muslims to Government and aided colleges with the exception of Chittagong and Dacca Intermediate Colleges where the percentages are 30 and 60 respectively.

(*c*) No such complaint has been made to Government.

(*d*) No.

Statement referred to in reply to question No. 56, showing percentage of vacancies to be reserved for the Muslim students in the Government schools.

Name of Institution.	Percentage of vacancies to be reserved.
(1) Birbhum Zilla School ...	... 24
(2) Bankura Zilla School ...	... 5
(3) Howrah Zilla School ...	... 20
(4) Utterpara Government High School ...	... 6
(5) Hooghly Collegiate School ...	... 35
(6) Hooghly Branch School ...	... 20
(7) Barrackpore Government High School ...	... 10
(8) Baraset Government High School ...	... 33
(9) Taki Government High School ...	... 17
(10) Nawab Bahadur's Institution, Murshidabad	... 50
(11) Krishnagar Collegiate School ...	... 51
(12) Jessore Zilla School ...	... 62
(13) Khulna Zilla School ...	... 33
(14) Hare School, Calcutta ...	... 25
(15) Dacca Collegiate School ...	... 30

Name of Institution.	Percentage of vacancies to be reserved.
(16) Mymensingh Zilla School ...	... 50
(17) Jamalpur Government High School ...	... 50
(18) Faridpur Zilla School ...	... 50
(19) Barisal Zilla School ...	... 50
(20) Jhalakati Government High School ...	... 50
(21) Pirojpur Government High School ...	... 50
(22) Bhola Government High School ...	... 50
(23) Armanitolla Government High School, Dacca	.. 30
(24) Comilla Zilla School ...	.. 50
(25) Noakhali Zilla School ...	... 50
(26) Chittagong Collegiate School ...	... 40
(27) Rangamati Government High School ...	... 10
(28) Rajshahi Collegiate School ..	.. 50
(29) Dinajpur Zilla School ...	... 50
(30) Jalpaiguri Zilla School ...	.. 25
(31) Rangpur Zilla School ..	... 50
(32) Bogra Zilla School ...	... 60
(33) Pabna Zilla School ...	... 50
(34) Malda Zilla School ...	.. 40
(35) Darjeeling High School ..	... 10

Mr. NAGENDRANATH MAHALANOBISH: May I enquire when and by whom this order for reservation of seats was passed?

Mr. K. C. ROY CHOWDHURY: By Government in consultation with the Divisional Inspectors of Schools.

Mr. NAGENDRANATH MAHALANOBISH: But when was this order passed—I mean the date?

Mr. K. C. ROY CHOWDHURY: I want notice.

Mr. HARIDAS MAZUMDAR: Was this order gazetted at any time?

Mr. K. C. ROY CHOWDHURY: I am not aware.

Mr. DEPUTY SPEAKER: Next question.

Mr. HARIDAS MAZUMDAR: On a point of information, Sir——

Mr. DEPUTY SPEAKER: I have already called the next question.

(Before the question was read by the Parliamentary Secretary.)

Mr. HARIDAS MAZUMDAR: On a point of information, Sir, as to whether the Parliamentary Secretary has got the necessary permission to answer this question on behalf of the Honourable Mr. Pain. Are you satisfied, Sir, that he has got this permission?

Mr. DEPUTY PRESIDENT: I have not got any written request but when the Parliamentary Secretary says that he has been authorised to reply to the question, I have no ground to disallow him.

Reduction in local train services.

57. Mr. RANAJIT PAL CHOUDHURI: Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) whether his attention has been drawn to the Time Table of the Bengal and Assam Railway recently issued;

(*b*) if so, whether it has come to his notice that there has been considerable reduction in the number of trains in the local train service from and to Calcutta;

(*c*) whether complaints from the public have not reached him already;

(*d*) whether enquiries will be made into the matter with a view to minimising public inconveniences; and

(*e*) whether the Government are aware of the abnormal vehicular transport difficulties, specially in this part of the Province due to the shortage of petrol, coal and oil.

Mr. K. C. ROY CHOWDHURY, PARLIAMENTARY SECRETARY, (on behalf of the Hon'ble Mr. Barada Prasanna Pain): I have asked the Railway administration to furnish certain materials. The reply will be given as soon as these materials are received.

Mr. K. C. ROY CHOWDHURY: Sir, since the above reply was prepared, we have communicated with the railway authorities and the railway authorities have pleaded that due to the paucity of stock and heavy military commitments the protests of the public and so forth have been referred to the railway administration which in its reply has informed us that it is unable to comply with the request.

Regarding the curtailment of passenger services we have already voiced our protest to the Railway Board against the further curtailment of passenger trains since in any new system of trains. So that the answer to (*a*) is Yes; and to (*b*) to (*e*) is we have taken all steps and after exhausting our protests to the local B. and A. Railway we have also protested to the Railway Board.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state what steps Government propose to take with regard to this relief?

Mr. K. C. ROY CHOWDHURY: We are awaiting the reply of the Railway Board.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state when they have written to the Railway Board for this relief?

Mr. K. C. ROY CHOWDHURY: On the 2nd March last.

Mr. RANAJIT PAL CHOWDHURY: Is there any chance of getting the reply of the Railway Board before the session is prorogued?

Mr. K. C. ROY CHOWDHURY: That depends on the Railway Board.

Mr. RANAJIT PAL CHOWDHURY: Will you take steps to facilitate a reply from the Railway Board in proper time?

Mr. K. C. ROY CHOWDHURY: Well, we will issue a reminder.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state what was the reason for writing to the Railway Board in the matter?

Mr. K. C. ROY CHOWDHURY: First, we wrote to the local railway authorities and we corresponded with them and after we got a reply from them saying that they cannot do anything in the matter due to military traffic; we then wrote to the Railway Board on the 2nd March. So it took some time in sending the letter to the Railway Board.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state when the reply from the B. and A. Railway was received?

Mr. K. C. ROY CHOWDHURY: On the 10th January last.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state what is the reason for sending the letter so late to the Railway Board in view of the fact that the reply of the B. and A. Railway was received during the first half of January last?

Mr. K. C. ROY CHOWDHURY: There was no delay in writing to the Railway Board.

Mr. HUMAYUN KABIR: Is it not a fact that the Parliamentary Secretary just now said that the reply of the B. and A. Railway was received on the 10th January last—but the letter to the Railway Board was written in March?

Mr. K. C. ROY CHOWDHURY: We first thought that the B. and A. Railway would decide this question. As they did not do that, we took the matter up after a long consultation with the Home Department, which is responsible for transport, with the Railway Board. Government in the Communication and Works Department took the matter up with the B. and A. Railway first and then they found that if they had to communicate with the Railway Board they would have to consult the Home Department which is responsible for transport. So naturally it took some time before it was decided to write to the Railway Board.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state when was the notice of this question received by the department?

Mr. K. C. ROY CHOWDHURY: Some time last year.

Rai Bahadur KESHAB CHANDRA BANERJI: What is the reason for writing to the Railway Board so late as 2nd March—why this abnormal delay?

Mr. K. C. ROY CHOWDHURY: As I have already said, after getting the reply of the B. and A. Railway the Communication and Works Department had to hold consultation with the Home Department which is responsible for transport and after this long consultation we wrote to the Railway Board.

Mr. RANAJIT PAL CHOWDHURY: Was the enquiry made subsequent to my question?

Mr. K. C. ROY CHOWDHURY: Yes, your question and other questions put in the other House.

Mr. DEPUTY PRESIDENT: Questions over.

Mr. HUMAYUN KABIR: Sir, before you take up other business, I would like to draw your attention to the long list of outstanding questions which have not been answered. The list shows that a total of 110 questions still remain unanswered. The Government are not ready with an answer even though some questions were asked as long ago as 1942 and in the course of the last three years the Government have not collected sufficient energy or efficiency to answer those questions. Sir, we find from the list that from the first session of 1943 there are 5 questions outstanding, second session 10, third session 16 and we also notice that most of the questions which are outstanding relate to the Civil Supplies Department. Of course, the Finance Minister in another place was pleased to state that he was not in a position to answer for the deeds, I will say misdeeds, of the Civil Supply Minister, but since their responsibility is collective, I ask the Finance Minister and the Hon'ble the Leader of the House to see that either they compel their recalcitrant colleague to come to this House and answer these questions or get rid of him.

Mr. DEPUTY PRESIDENT: This grievance of the honourable members has been raised in this House times without number. Will the Hon'ble the Leader of the House enlighten us on this matter?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am sorry, Sir, I was unmindful.

Mr. DEPUTY PRESIDENT: Mr. Humayun Kabir is complaining about the unusual delay in answering questions.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Unusual delay by whom?

Mr. DEPUTY PRESIDENT: By the different departments.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, so far as my department is concerned, there is only one question. As regards the questions belonging to other departments, I may just remind my colleagues. I shall ask them the reasons for this delay and if they so instruct I may answer the questions.

Mr. SHRISH CHANDRA CHAKRAVERTI: May I enquire of the Hon'ble the Leader of the House who is our representative in the Cabinet what he suggests about the remedy if the Hon'ble Ministers persist in their conduct of not answering the questions?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: You can insist on the Hon'ble Ministers' presence in this House and hear from them what they have to say.

Mr. SHRISH CHANDRA CHAKRAVERTI: You won't do anything?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: What authority I have to do so?

Adjournment motions.

Mr. DEPUTY PRESIDENT: I have received notices of two adjournment motions, one tabled by Rai Bahadur Keshab Chandra Banerji, and the other standing in the name of Mr. Haridas Mazumdar. But as there is another adjournment motion fixed for discussion tomorrow, following the convention of this House and the Standing Orders, these motions will be taken up after the one admitted has been disposed of. That motion stands in the name of Mr. Bankim Chandra Mukherjee.

Mr. HARIDAS MAZUMDAR: Sir, there is no harm in your admitting this motion now. You may see now whether the motion has the leave of the House or not and then fix a date for discussion.

Mr. DEPUTY PRESIDENT: But according to the Standing Order, unless one adjournment motion is disposed of no other adjournment motion can be taken up.

Mr. HARIDAS MAZUMDAR: I find nothing of the kind in the Standing Order.

Mr. DEPUTY PRESIDENT: You will please see the Standing Order and satisfy yourself. I can only say this much that I shall waive the question of urgency.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, may I point out that in the past motions of a similar nature were admitted in spite of the fact that a motion had already been admitted previously, and this happened, so far as I remember, only in the last July session.

Mr. DEPUTY PRESIDENT: I am satisfied that the procedure which I suggested has all along been followed.

Mr. HARIDAS MAZUMDAR: Sir, may I know when it will be taken up?

Mr. DEPUTY PRESIDENT: Day after tomorrow. Professor Kabir.

Discussion of Supplementary Estimates.

Mr. HUMAYUN KABIR: Sir, I was discussing——

Rai Sahib JOGENDRA NATH RAY: Sir, may I rise on a point of order? The supplementary grants have already been passed in the Lower House, and so what is the use of discussing the matter? We have got no power to vote on them. It will be a cry in the wilderness.

Mr. DEPUTY PRESIDENT: It is absolutely immaterial whether the supplementary demands have been passed in the other House or not. The valued right of this House is to make a general discussion and that can be continued even though the supplementary demands have been voted in the other House. Yes, Professor Kabir, you may resume your speech.

Mr. HUMAYUN KABIR: Sir, I am glad my honourable friend has raised this point. Most members of this House, to whichever party they belong, feel that it is one of the standing grievances of the Council as a whole. Again and again we have found that the opinion of this House has not been given that consideration which is its due. There is the first disadvantage that we are circumscribed by the Statute itself. Under the Statute we cannot vote on demands. We cannot reject any demand even if we have the requisite strength in the House. We can only discuss. In the past, general convention has been that this discussion takes place before actual disbursement has occurred. Today we find that not only are we denied the right of making our voices felt effectively on the question of the expenditure, but we also find that these expenditures have already been incurred. Any suggestion that we can make will be more or less of a theoretical nature.

In addition, the Government are deaf and very often also mute—especially in this House. We find that with the honourable exception of the Hon'ble the Finance Minister and the Hon'ble Minister for Agriculture, almost all the other Ministers—the Chief Minister is another exception—have become mute so far as this House is concerned. They do not dare to face criticisms. They are always conspicuous by their absence. We find that most of them are also deaf so far as the criticism from this House is concerned. Nevertheless, it has been our painful duty to go on making suggestions year after year. It is in that light that I propose to continue these remarks——I think, Sir, one of the honourable members is not feeling well——

Mr. R. S. PURSELL: It is all right, thank you.

Mr. HUMAYUN KABIR: Well, Sir, to continue that discussion I will very briefly recapitulate what I was stating on the last occasion. In many of the items we find that the Hon'ble Ministers have shown, not only a lack of imagination, but also an incapacity to deal with the finances of the Province. This incompetence is such as to make one doubt whether they are at all fit to conduct the financial operations of this Province. We have found that on the items both of income and of expenditure, very great divergences and discrepancies exist between what they have budgeted for and the revised estimates. This huge supplementary budget is a measure of the discrepancy between these two figures. They have failed, and failed miserably, to visualise the situation. As a consequence, they have burdened the province with a terrible deficit. I do not want to go into detail over the points which I have already enumerated. We have found that they miscalculated so far as the expenditure on the purchase of food grains is concerned. They have miscalculated so far as the amounts which could be expected by selling those food grains are concerned. They have miscalculated so far as the amounts for dealing with famine are concerned. On almost every item they have exhibited a lack of proper appraisement of the situation.

In addition, we also find that they have gone into very great extravagances. They have allowed political considerations to govern their budget in a way which is unprecedented in this province. They have also,—I cannot but use a strong word—"misused" the funds of the province in a scheme of training temporary officers who come here on a temporary basis. They have acquiesced in the suspension of recruitment of officers in some of the higher grades and contented themselves with replenishing the posts on a temporary basis by men spared from the Army. I said on the last occasion, these men could be spared from the Army on only one of two gorunds. Either they are superfluous, in which case there is no longer any ground for suspending recruitment to the higher services on a permanent basis. The other ground can only be that these men are either inefficient or incompetent and therefore the Army wants to have nothing to do with them. In either case, the Honourable Ministers have not been able to justify their action even to their own supporters. This was proved clearly when this question was debated on an earlier occasion. Speaker after speaker from among the supporters of Government got up and condemned the attitude of the ministry in providing for temporary officers and wasting the hard-earned money of the nationals of this province.

Again, so far as the miscellaneous grant, grant No. 33, is concerned, we find that a large amount of money has been spent on provisions for inquiry committees. I would ask the Hon'ble Finance Minister to answer for himself whether he is satisfied that these committees or commissions which have been appointed are at all competent. Is it not a fact that in most cases these commissions and committees which have been appointed have been appointed on political considerations rather than on considerations of efficiency or suitability? Is it not a fact——

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: May I intervene and enquire which commission or committee the honourable member is referring to?

Mr. HUMAYUN KABIR: The war reconstruction committee, the technical education sub-committee and similar committees. They have been twisted almost out of shape by succeeding governments. Any valuable work of which they were capable has been rendered almost impossible. There have been changes in personnel. Persons who carried out the programme up to a certain point have suddenly been dropped. Partisans have been brought in for political and partisan purposes without any consideration for the good or the future of the province. From main points of view, I have my quarrel with the Government in respect of this supplementary budget. I have tried to place before the House some gross wrong which the public have to suffer.

There are one or two other items to which I would like to draw the attention of the Hon'ble Ministers and of the Cabinet as a whole. Under grant No. 23, we find an increase in the number of certificate cases. More money has been spent in certificates in order to realise from the agriculturists loans advanced to them during the crisis. I know that it is nowadays fashionable to say that the peasant is in a prosperous condition and happy. I think it is only persons who have no touch with the rural areas that say such things. Those who come from the rural areas know the actual conditions prevailing there. They know how the peasants are suffering from the after-effects of the famine—a famine unprecedented in the history of India. The after-effects of the famine are there. After the depredations from which they suffered in 1943, in 1944, they had a terrible time. Ever since 1944 and up till today, the cloth famine is making conditions in the rural areas extremely difficult and precarious. In such circumstances, we yet find that Government is resorting, through issue of certificates, to force in order to realise from the peasantry the arrears which are due from them. Certificates are almost always unwelcome. That

certificates are sometimes necessary, I do not deny. I strongly hold that this is not the time when certificates can be used for the realisation of arrears of rent. Until normal times return, until the economic life of the country is established on a firmer and healthier footing, such extreme steps should not be taken. If the certificate procedure is resorted to now, the economic life of the country is bound to weaken still further. The economic condition of the peasantry and poorer cultivators will be altogether ruined.

I admit, Sir, that there may be a certain category of cultivators, I mean the larger farmers, men who are small landholders,—not exactly zemindars but neither mere tillers,—who are better off than they were before the outbreak of war. I believe the Hon'ble Minister in charge of Agriculture will not contradict me when I say that almost 65 per cent. of the cultivators in Bengal do not have economic holdings. Very few have a holding of the size of more than 2 acres. In the case of vast majority of the peasantry, it is still less. In these circumstances, it is impossible that the Bengal peasants can be well-off. The issue of certificates or resort to such forcible realisation is therefore unhappy. I would ask the Hon'ble Finance Minister to issue orders for the suspension of certificates till the return of normal times.

Sir, I come to the suggestions I would like the Hon'ble Finance Minister to consider in order to remedy the present state of affairs. I will take up, first of all, the question of State industries and industrialisation of this province. One of the supporters of Government, in the course of discussion on this year's budget, attempted to make out that the Opposition do not come forward with any constructive suggestions. I must say that the memory of that honourable member must have failed him. If he had cared to listen to the debates held in this House, debates not only in connection with special Resolutions and Motions, but debates even at the time of the discussion on the budget, he would have found that again and again, both from the members of the Opposition as well as from the supporters of the Government, demands were put forward that the Government of Bengal should take steps to improve the industries of the province.

The result so far of all attempts to improve the industries of the province have been most unsatisfactory. It is not the fault of the Opposition or even for the matter of that of those members and supporters of the Government who thus spoke, that there are no improvements in the industries. It is due to the lack of imagination of those who were in positions of authority in recent years. I can recall to this House that as early as 1938, I myself pressed that there should be, on behalf of Government, industries established in Bengal. I suggested that textiles and heavy chemicals should be the two industries which the Government should establish or at least subsidise. If the Government are not prepared to take them up on their own behalf, and if they are not prepared to subsidise them, they can at least promise some kind of guaranteed profits to private industrialist who undertake them. The Hon'ble the Finance Minister knows very well that the Indian Railways were built up by private capital on the basis of an assurance by the Government of a minimum rate of profit. I think the railway companies which started as private companies were assured of a profit of something like 5 per cent. If, on behalf of the Government, some assurance were forthcoming, I am quite sure the development of basic industries like heavy chemicals and of consumers industries like textile or yarn would have progressed much more. They would have developed far more than is actually the case today.

Sir, there is no lack of suggestion either from members of the Opposition or from the supporters of Government. On the contrary, on account of the hesitating policy of the Government these developments have not taken place. I also find that this state does not prevail here in this province alone. I would refer the House through you, Sir, to the debate that took

place in the Council of State on 17th August, 1936, when this question of helping the industrial development of the country was taken up. Sir, an attempt was made that there should be Government encouragement to the development of indigenous industries in this country. In the Council of State, the debate was on all-India questions. So far as Bengal is concerned, suggestions which were made in this House by members of the Opposition as well as by the members of the Government party were to the effect that the Provincial Government should take the initiative in the development of indigenous industries within the Province.

The remarks of the honourable member who was absent till now, deserve little more consideration. I would pursue the point further. He had said that it was due to a particular community that there is a cloth famine in Bengal today; whatever may be the justification of his charge, it was to some extent beside the point. Particular communities flourish here in Bengal, partly because of the lack of governmental support so far as the indigenous industries are concerned, and partly because we as a community have failed in developing the industries. Men of Bengal have ceased to be a prosperous industrial or commercial community during the last 100 or 150 years. Before the days of the battle of Plassey, Bengal used to hold its own against all other provinces of India in regard to the boat industry, textiles and other industries. It was after the establishment of the British regime that things changed. Calcutta was the capital where an easy means of livelihood was thrown open to the nationals of this province. Commerce and industries give high returns but are more risky and uncertain. The income from Government or commercial services was lower but much more secure and certain. As a result, local talent and energy gradually diverted from commerce into the channel of service and other clerical employment. From that time onward, Bengalis fell back in the competitive race so far as industries are concerned.

There is another factor and that is the institution of the Permanent Settlement. It was the Permanent Settlement which, by freezing the talent of Bengal into certain land assets, prevented its full and free development. This is a large question and would carry us too far away. Speaking very briefly, I may say that it was partly the Permanent Settlement and partly the English education, which secured employment in Government and other firms, that tempted Bengali talents, and the result was that people left the commercial and industrial lines and joined as clerks under Government or private firms. Since there was a vacuum, people from other provinces came and filled up that vacuum. The remedy therefore lies, not in blaming any particular community, but in creating conditions in Bengal where commerce and industry can attract the best talents. For this, permanent settlement must be abolished, education must be reformed, but even more important, state industries and state-subsidised industries must be built up as a systematic policy of the Government.

If we want to improve matters, if we want to restore the industry and commerce of Bengal largely to the hands of the nationals of this Province, to those who are either born here and are native to this Province or to those who have adopted it as their permanent domicile because I would consider them also to be nationals of this Province—then I think a step forward is to be taken by the Government itself. It was on these grounds that as early as 1938 I made a suggestion that the Government should devote itself especially to the development of textile and heavy chemical industries in the Province. I find, Sir, that in such efforts to restore industries to the nationals of this Province (either nationals who are native or nationals who have made it their adopted home), our province will not be setting a precedent but merely following the practice of other countries of the world.

My honourable friends to my left know this very well. Only one of them is unfortunately present at the moment. I regret the circumstance which is responsible for their absence. They know that their industry and

commerce developed largely on account of the help which the State offered them. I may remind them of the Navigation Acts by which they have developed their mercantile navy. I would remind them of the different Acts by which the national industry and commerce was helped. No company could operate in England unless half its shareholders and directors were the nationals of the country. It is in this way, through the help and initiative of the State, that they were able to build up one of the most prosperous and far-reaching business connections in the history of the world. It was only after they have firmly etsablished their position, not only in their own country but also outside, not only as producers of consumption but also of production goods, not only in heavy industry and light industry but also as the largest carriers of commercial goods all over the world, that they became advocates of free trade.

The suggestion which I am making,—that the Provincial Government within the limits within which it has to operate should give help to the nationals of this Province in developing indigenous industries,—is not either revolutionary or in any way unknown in the history of other countries. Distinguished Englishmen have also often spoken in favour of such a policy. I will refer to the Council of State debates of 17th April, 1936. The minority report of the fiscal commission and of the External Capital Committee were considered. We find Englishmen of very outstanding position accepting the principle that the indigenous trade of a country should be confined primarily to the nationals of that country. We find that Sir William Clark, the Commerce Member of the Government of India, in 1916, in speaking on the Resolution for the appointment of the Industrial Commission stated clearly—

> "The building up of industries where the capital, control and management should be in the hands of Indians is the special object we all have in view."

Here was a distinguished Englishman who accepted the principle that the building up of industries where not only capital but control and management shall be in the hands of the Indians is the objective. Sir William Clark not only wanted that indigenous industries should develop in this country. He also wanted that these indigenous industries should be developed with Indian capital and under Indian management and control.

Again, Sir, we find another distinguished European, Sir Frederick Nicholson, who desired that Indian industries should be developed with indigenous capital. In the course of the labours of the Industrial Commission, Sir Frederick stated as follows:—

> "I beg to record my strong opinion that in the matter of Indian industries we are bound to consider Indian interests firstly, secondly and thirdly. I mean by 'firstly' that the local raw products should be utilised, by 'secondly' that industries should be introduced; and by 'thirdly' that the profits of such industry should remain in the country".

Well, Sir, I could go on making further quotations but I think this is enough to show that distinguished Englishmen have accepted the principle that not only should there be development of Industries on the Indian soil but that the control and capital of these industries should also be in the hands largely of the Indians. If therefore the Government of Bengal took the initiative in this manner, it could help,—either by State Industries or by subsidising industries or at any rate by promising a minimum rate of guaranteed profit in the case of the industries which satisfy specified conditions. It could lay down that half the capital must be owned by the people of the province—including in the term "people of the province" both those who are native to the soil and also those who have their domicile here. It

could also insist that the Board of Directors should reflect the same proportion as the shareholders. Such state-owned or state-aided industries would go a long way in solving the problem of poverty, the problem of unemployment that is already becoming so acute in this province. That is one suggestion which I would ask the Hon'ble Finance Minister to keep in mind.

Then, Sir, there is one other suggestion that I have to make. It is a point without which I do not think we can get out of the rut in which we find the province today. I refer to the release of political prisoners. I think every one in this House who has the good of the province at heart will admit that the present vicious circle cannot be broken till the political prisoners have been released on a large and general scale. There is no denying the fact that these political prisoners represent some of the finest elements of the country. There may be difference of opinion about their methods or about the programme which a particular group or individual may have followed at some time. There may even be difference regarding the correctness of particular acts or decisions; but I do not think there will be any difference of opinion on any side of this House so far as the question of the honesty, the motive and the character of the persons whom we call political prisoners is concerned. They represent some of the finest elements in the land. They are the fighting elements, elements which are prepared to forget themselves in their desire to serve the country. When we find that the flower of the manhood of the province is kept frozen and unutilised, we need not be surprised at the danger and the corruption which threaten not only the political but the economic, social and one might say even the moral life of the province. The first and foremost remedy that suggests itself is that the political prisoners must be released.

We have been talking of corruption. In attacking corruption, honourable members on every side are united. There is no difference of opinion in this matter between the Indians and Europeans; no difference between the supporters of the Government and the critics of Government, between the Independents or members belonging to any other party. We all agree that corruption is rampant on a scale that is unprecedented in the history of the country. If we want to check that corruption, we must bring into the body-politic those elements which are best capable of fighting the roots of corruption. I may be permitted the use of medical analogy. We know that whenever a boil or sore forms on the body, it is because of a foreign or injurious element which invades the organism. The best way of curing the malady is to allow the development of the resisting corpuscles which can expel the foreign impure matter. It is through the toning up of the body as a whole that the organism can survive. What is true of individuals is equally true of society. Today so far as Bengal is concerned, we find that both the body-politic and the body-social are suffering from maladies of every type. The grossest evidence of this malady is the symptom of corruption which is eating into our vitality and is acting as a canker in society. If you want to eradicate this corruption, you cannot afford to allow the healthiest corpuscles of the body-politic to go to waste. We cannot allow the most vigorous elements of the body-politic, I refer to the political prisoners who have proved the excellence of their motives, to remain in forced idleness. We cannot afford to miss their help at this time.

We know Government would say that they are constrained to keep many of the prisoners under restraint so long as the defence of India is in question. But today when that question has disappeared, there is no justification for their attitude. The war has receded far beyond the Indian borders. The movements of the armies in the different theatres of war show that very soon a day of peace—or at any rate a day of armistice—will return to this world. We have seen great improvements in the military

situation. Whatever pretext the Government had for keeping these political prisoners in confinement has disappeared.

We again find that in the Central Legislature, the Hon'ble Home Member said that so far as the majority of the political prisoners are concerned, the Provincial Governments are responsible for them. The Government of Delhi—the India Governnfent—are not prepared to take responsibility for more than 50 odd prisoners for the whole of India. The vast number of political prisoners who are detained are therefore detained on account of the decision of the Provincial Government. The Hon'ble Member of the Government of India went on to say that the different Provincial Governments follow different policies regarding the release of political prisoners. Some Provinces may accelerate and transfer the release of their poltical prisoners, others may retard the release. I want the Hon'ble Finance Minister to answer into which category his Government falls. Are the Government here following the policy of tardy release? It is falling behind other provinces in this respect. Does not the Hon'ble Finance Minister remember that when he accepted office, he said that he did so on the issues of the release of political prisoners? That he would work for the release of Mr. Sarat Chandra Bose and even if he could not secure his release, he would at least work to bring him back to his native province? I would ask him what he has done to redeem his promise. I would ask him if he is satisfied himself that his assurance has been fulfilled.

Look at the picture of corruption and dishonesty in Bengal, the social, moral and political degeneration today. How can the situation be improved when some of the best elements in the province are rotting in enforced idleness in jail? Release the political prisoners and let them work to improve conditions. If the political prisoner is released, he can serve in many ways. He can help to eradicate black-market. He can check corruption in a manner which Government machinery, however efficient, can never emulate. If there is any seriousness in the attitude of the Hon'ble Finance Minister and his colleagues, if they really want to check corruption and bribery prevailing all over the province today, one of the first items of their policy should be the immediate release of political prisoners who can help to fight this evil to its very roots. It is only by this means that normal conditions can be restored. We have had a tragic experience of famine. We are living in perpetual half-famine and yet the famine of 1943 was something unprecedented in the history of India. The prevailing conditions are affecting the very vitals of the people. The condition of health which prevails in Bengal is unknown in any other part of India. All this is largely due to abnormal condition. If the Government wants to restore normalcy, it is possible, not by releasing a few prisoners at pleasure not by loosening the control here and there, but by going to the very root of the matter and releasing the political prisoners as a whole, for they are better able to fight this menace than almost any other group of people in this province.

Thirdly, I would suggest that there should be a standing committee of the Legislature to scrutinise the operations of the different departments of the Government. One of the chief reasons why democracy has succeeded in Great Britain and functioned so efficiently is that there are standing committees of the House. A permanent standing committee can go into and examine the different questions of administration. In the Central Government of India, there is a standing committee. The Hon'ble the Finance Minister should tell this House of his own experience. Does he not think that a standing committee would definitely improve matter from the point of view of the public as well as the Government?

The Finance Minister and some of his supporters say that Government tried to associate non-officials with some of the Government activities. Advisory committees to look after the administration of the different

departments such as textile, food advisory committees and so on and so forth were set up, but have not proved very helpful, because as I have already pointed out the persons selected to these committees are often persons in whom the public may or may not have confidence. Individually, they may be good men but, nobody has any voice in their selection except the Government. How can Government prevent a suspicion that they have only selected "yes-men", men who are amenable to the influence, the resources and the patronage which the Government has at its command?

If a standing committee of this House is elected annually or biennially by the single transferable vote, such suspicions would be allayed. In the Lower House, there are 250 members and in this House 63. If these 313 members elect different standing committees for examining the textile, the food and others questions, it would be helpful for the public and the Government. Such a committee would be the House in minature, and consist of representatives from all the different groups in the House. If this is done, I am quite confident that much of the corruption will stop. Today there are charges of bribery even against the highest authorities. They would no longer be in existence. There would also be a check in that these standing committees would be re-elected at regular intervals. If a committee or a member thereof proved unsatisfactory in any way, the House would see that the personnel is changed or the committee re-shaped.

I make this suggestion to the Hon'ble the Finance Minister in all seriousness. If he does not accept a suggestion of this nature and yet comes and says that Government have already associated non-officials, I would reply that their choice is a brand of non-officials who may be described as official non-officials or officious non-officials. There are everywhere creatures who hang round bureaucracy. In any mofussil court or district court or around the Ministers, we find hangers-on, people who are non-official in name but have no independence of judgment or character. Such men are not in a position to stand up against the administration and point out its defects. My suggestion therefore is that standing committees of the Legislature should be formed with members of the different parties of the Legislature: not selected by nomination, but elected by the single transferable voice. I would also suggest that these committees should have some power of control. I do not suggest that they should be like executive committees issuing orders. They must however be analogous to the Public Accounts Committee which exercises some kind of control over the public expenditure of the province.

And now, Sir, I come to my final suggestion. I have pleaded before, and I say again today that in Bengal we need an All-Parties' Ministry. It is unfortunately the fact that no single party in this House or in another place, no party in the Legislature is able to form by itself a Ministry which can command the confidence of the people by its efficiency and honesty. There are some honest men in every party, and there are men of other types in every party as well. I will leave them, but confining myself to the honest men, I find that no party in the Legislature today can form a representative Government in which the talent of the Province can be fully reflected.

This is not all. Whenever there is a party Government, as we have in Bengal today, anything that the Government does is suspect to the party which is in the Opposition. The members of the Muslim League party today are happy, because they are in power, and they often talk of getting a kind of co-operation. They will remember that two and half years ago, whenever the then Ministry in power asked for their co-operation they refused it. They were not prepared to make any constructive contribution to the administration of the Province. So long as we have a party Government, we will have this kind of suspicion, distrust and division. When we have such suspicion, distrust and division, the evil-doers will flourish.

The honourable members cannot deny that there has unfortunately developed a section in the Legislature who thrive on the differences of the parties. They thrive because there is sharp division and because there are party-cleavages. These often enable a person to exaggerate his importance and to get advantages which otherwise he would never have been able to secure. One would perhaps not err if one called them political black-market. In such atmosphere, you cannot pool the resources of the Province. You cannot bring together all the energy, the efficiency and the ability which is available in this Province till you are able to overcome narrow party prejudices and the narrow party alignments which have been the curse of Bengal in the last few years. In the circumstances in which we find ourselves today, in this emergency which is unprecedented, it is meet and proper that political considerations should be allowed to recede to the background for a while.

In England also the differences between the die-hard Tories and the red-rag Socialists were overcome. Mr. Bevin and Mr. Churchill sit together in one Cabinet. I remember that in 1930 or 1931, when Mr. Herbert Morrison came to power the London County Council, there was general consternation among the Tories. He also can sit together with Mr. Churchill and co-operate with him. If they can overcome party prejudices and have an all-Party Cabinet, a Cabinet which is an administrative Cabinet rather than a political Cabinet, what is it that prevents us doing the same in Bengal?

I think the Hon'ble the Finance Minister will agree with me that the issues which face our Province today are primarily administrative and economic. They are not political. The issues which face our Province today are the issues of rehabilitation. They are the issues of development of industry and commerce. They are the issues of restoration of agriculture. They are the issues of bringing back health to the individual and society. They are the issues of restoring society to normalcy after the terrible displacements of 1943-44. In view of this national emergency that threatens the very existence of civilized society in Bengal today, I think that honourable members and Honourable Ministers should rise above party differences and divisions. They should overcome the narrow party allegiances and cleavages into which they have allowed themselves to fall. They should rise above their narrow loyalties for the sake of a larger loyalty towards the province in which we are born and which, if we all work together, we may make a proud heritage for the generations to come.

Mr. MOHAMMED HOSSAIN: Mr. Deputy President, Sir, when simply discussion is going on on the supplementary budget I wish to draw the attention of the Government to one most urgent and vital matter.

Sir, the Islamia Hospital at Calcutta is one of the most efficiently managed hospitals in Bengal which caters to the needs of the poor population irrespective of any creed or caste. It is entirely maintained by public donation and subscription. It is equipped with all modern appliances for treatment. It consists, besides the medical and surgical departments for the male and female sections of other special departments, for eye, chest, dental, E.N.T., Skin diseases, V.D., a radiological section and a clinical laboratory. Its popularity and efficiency is daily on the increase. From February 1944 to 31st January 1945, 660 indoor patients and 1,32,543 outdoor patients were treated in this hospital. Its annual maintenance expenditure was Rs.70,483 in that period. It was entirely borne by public charity. The Government of Bengal have been approached again and again but no recurring grant has been sanctioned for this hospital though an insistent demand has been made for the same. We expected some provision in the supplementary budget at least but it is much to be regretted that no amount has been provided in this estimate though a sum of

Rs.50,000 has been provided for other purposes under head "Grant to Hospitals and Dispensaries".

Sir, I strongly urge on behalf of the poor people of this city to sanction a monthly grant of Rs.3,000 to this Islamia Hospital of Calcutta.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Deputy President, Sir, I wish my words to be taken in the spirit in which I say them. I may say that I have sincere sympathy with the honourable members of this House in their grievance that they cannot take as active a part, through the budget discussions, in the administration of the province as they would like to. But that, as my friend Professor Kabir has said, is due to the structure of the Constitution. It is true that throughout India both at the Centre and in the Provinces the Second Chamber has not certain powers which the Lower House possesses. Similar restrictions are, however attached to the Second Chamber of Parliament in the United Kingdom in regard to the national purse. But it has been my experience in Delhi as well as here that honourable members of the Second Chamber contribute a great deal to the general discussion of the problems that face the country and the province. It will be my duty to take note of the various suggestions that have been made in this House during the last few days and on other occasions.

I wish, first of all, to dispose of two items to which oblique references were made in this House and about which there may possibly be some misapprehension. I refer to two items in the Civil Works supplementary budget: one in regard to 31, Theatre Road, and another in regard to 8, Theater Road. With regard to 31, Theatre Road, incidentally I may say that it is not the personal property of Sir Nazimuddin. It has been requisitioned by Government for their own use and for this there is a certain provision of Rs.35,000 for improvement, etc., as indicated in the printed explanation. I will now explain the whole position. Out of this provision of 35,000 rupees something like 25,000 rupees—it may be a little less or it may be slightly more—is the estimated cost of improvement in structure, namely, putting in sanitary fittings, improving the electrical installation, such as wiring, etc. The entire amount which would be spent by the Government in the first instance towards the cost of the improvement which is necessary, will be recovered from the Court of Wards which manages the property on behalf of the proprietors; so that Government eventually would lose nothing on that score and the balance of something like 10,000 rupees is for furniture, crockery, etc., which will be used by officers living there and will remain Government property and will be disposed of as and when necessary by Government, as is done in the case of Dak Bangalows and Circuit Houses. I am explaining all this because there may be some misapprehension about the matter. As regards 8, Theatre Road, it is Government property. It had so long been allotted to the Commissioner, for the time being, of the Presidency Division. It was thought that the Chief Minister of the province should be provided with a suitable House, while he is Chief Minister, and on the same terms as Commissioners of Divisions, District Magistrates and Subdivisional Officers are provided with quarters, namely, on the basis of a rental. I may tell the honourable members that there was an old Cabinet decision during Mr. Fazlul Huq's first Ministry that the Chief Minister should have a furnished house supplied to him. Now Government do not propose to provide the Chief Minister with a furnished house but to allot this particular house,—8, Theatre Road,—to him unfurnished, that is to say, on the same terms as it used to be allotted to the Commissioner of the Presidency Division, and the Chief Minister will pay rent——

Mr. SHRISH CHANDRA CHAKRAVERTI: What is the rent?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: 10 per cent. of pay.

Sir, there are two popular misconceptions which I would like to clear up. Some misconceptions prevail even in the Legislature about deficit budgets. I want to say, Sir, not merely on my own authority but on the authority of great men who have in recent times written on the subject of Public Finance, that deficit budgets are not to be regarded as thoroughly bad in themselves and that they may be even desirable, as in the present case, for economic stabilisation.

There is another misconception about supplementary estimates. It has been said on the floor of this House and elsewhere more than once: "Look at the size of the supplementary estimates—Rs.65 crores as against the original budget of something like Rs.30 crores." But Sir, these Rs.65 crores do not represent expenditure in the ordinary sense of the word. If honourable members will turn to the details of Grant No. 35, they will find that the bulk of this sum represent trading transactions. What the Legislature is concerned with is the effect of these transactions in terms of money and I have in my budget speech explained the financial effects, namely the net losses, so far as this province is concerned. Now, these transactions were undertaken as a matter of policy approved by the Legislature. There was also some additional expenditure on rehabilitation. When I presented the budget a little over 12 months ago, I forecast that Government will have to undertake large-scale rehabilitation measures. The Legislature was aware that programmes were being chalked out.

As to the propriety of presenting supplementary estimates before the Legislature after a great deal of expenditure had been incurred, we have precedents not only in this Legislature but also in the House of Commons. Honourable members might not know that in March 1914, a point of order was raised by no less a person than the late Viscount Snowden (Mr. Philip Snowden as he then was), who in subsequent years became Chancellor of the Exchequer. On that occasion the Chairman of the Ways and Means Committee, corresponding to the position of the Deputy Speaker here, stated that the fact that expenditure had to be incurred in the meanwhile before estimates were presented did not vitiate the budget." I will not quote at length, because it would take time. But the point of order was raised in regard to the heavy supplementary estimates on account of the naval expansion during 1913-14 and the supplementary estimates were presented at the fag end of that financial year.

Sir, I have listened with a certain amount of surprise to criticisms of certain items of expenditure. For instance, there was criticism even of our proposal to have proper crops statistics. The want of proper agricultural statistics has been one of the great handicaps of the administration in Bengal. It has been a long standing grievance, and it is being remedied only today. It is possible that the miseries which we have recently experienced have impelled us to take this measure but this is a measure which ought to be a matter of satisfaction to honourable members.

There was a good deal of criticism of the Civil Supplies Department. Sir, the organisation of that Department was extremely difficult. It was admitted by some of my honourable friends here that in 1943 when we were rushed into setting up an organisation it could not be expected that the organisation would be perfect. There was no proper food organisation in this Province before April, 1943, that is to say, when the famine was coming on us. We have had to take much trouble in reorganising the Civil Supplies Department, and Sir, it may not be out of place for me to quote the recent expression of opinion from abroad. Sir Oliver Gunatilake, of Ceylon, who has been recently visiting us, said publicly: "Few Ministers can claim what you can claim. The people of Bengal and the people of greater India will realise sooner or later what a magnificent deed

has been done in Bengal with courage and determination by the Minister of Civil Supplies. Bengal is on the left flank of Lord Louis Mountbatten and Ceylon on the right and between us we will not let the cause of freedom down."

Mr. HUMAYUN KABIR: On a point of information, Sir. Was this speech made on a public occasion or was it made at the end of a sumptuous lunch?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, it was made on a semi-public occasion, and it was meant for the public of India.

Sir, I have said here repeatedly that we have arranged to secure the necessary off-takes of our surplus within the Province itself. That is a definite decision in consultation with the Government of India and with their approval.

My honourable friend, Professor Humayun Kabir, suggested nationalisation of certain industries. I may say that nationalisation of certain industries is being considered by the Government of Bengal as well as by the Government of India; but honourable members will not take me amiss if I say that the selection of industries and the working out of details must be a matter of post-war development. I cannot at this stage anticipate any decision of Government but I shall repeat that this question is not absent from our minds, not merely for revenue purposes but also with a view to economic stabilisation.

My friend Professor Kabir asked me whether the policy of the present Government of Bengal in regard to political prisoners was "generous" or, I quote his own words, whether it was "not ungenerous". Well, Sir, it is not for me to give a testimonial to myself but I think that the Hon'ble the Chief Minister who is specifically in charge of the the Department concerned, has shown a liberal spirit. There are certain conditions which in the present state of things are peculiar to Bengal and they have got to be taken into account. I may even say that the Honourable the Chief Minister has probably been taking risks in certain cases. Mr. Kabir made another suggestion——

Mr. HARIDAS MAZUMDAR: On a point of information, Sir. Is the Hon'ble Minister personally satisfied with the pace and the number of political prisoners being released during his regime?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: No, Sir, I am most unhappy about the number, but I need not say anything more. I am convinced of this that the Hon'ble Chief Minister has a very liberal outlook on the subject; on this point I have no doubt.

Another suggestion has been made that there should be an all-parties Government in Bengal. Sir, I have often asked myself—have we in Bengal today that necessary sense of national emergency, and that sense of great opportunities, which we Bengalis are missing today? If we had that sense not merely within the precincts of the legislature but outside, that sense of urgency and that sense of opportunities, then I am sure all-parties Government would have been in existence in this province. Sir, we all hope for a brighter Bengal; but we are all of us aware how very much we have been hit by circumstances arising out of the war, not merely in the matter of finance but in our social life also. Honourable members have spoken of 'rampant corruption'. Sir, there is corruption all over the Province and it is not confined to officers. As regards officers, as I said on a previous occasion, it is possible that due to the existence of a very large

temporary staff that we have been compelled to engage, over whom Government control must necessarily be slight, there may be a certain amount of corruption. But, what about corruption that is rampant elsewhere? What is it that is mostly responsible for this hoarding instinct, this profit incentive? It has been created by war conditions, I know; but it is also a serious reflection on our national character and we must bear the reproaches both of our own conscience and of the people outside Bengal. I sincerely hope that we shall learn a lesson and that we shall try to improve ourselves. I was, for instance, terribly shocked when I heard the details of the black market in quinine created mainly by men of the medical profession. I have more details now in possession than many of the honourable members. It is a sordid story. I do not wish to speak anything more; but what terrible harm they did to their own people for the sake of private gain!

Mr. DEPUTY PRESIDENT: Order, order, the House stands adjourned till 1-30 p.m. tomorrow.

Adjournment.

THE COUNCIL then adjourned till 1-30 p.m. on Tuesday, the 13th March, 1945.

Members Absent.

The following members were absent from the meeting held on the 12th March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Khan Sahib Fariduddin Ahmed.
(3) Mr. Sultanuddin Ahmed.
(4) Khan Bahadur Nurul Amin.
(5) Mr. Kader Baksh.
(6) Mr. D. J. Cohen.
(7) Mr. K. K. Dutta.
(8) Khan Bahadur Abdul Gofran.
(9) Mr. Latafat Hossain.
(10) Mr. M. R. Jaipuria.
(11) Alhadj Khan Bahadur Shaikh Mohammad Jan.
(12) Maulana Mohammad Akrum Khan.
(13) Mr. N. N. Mookerjee.
(14) Khan Bahadur Muklesur Rahman.
(15) Dr. K. S. Ray.
(16) Mr. S. N. Sanyal.
(17) Dr. K. Talukdar.
(18) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-3112A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 15.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 13th March, 1945, at 1-30 p.m., being the fifteenth day of the First Session of 1945, ptrsuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

Points of Privilege.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, I beg to mention a point of privilege which I raised at the last July session. That was a point involving——

Mr. DEPUTY PRESIDENT: Order, order. Mr. Mahalanobish, 1-30 p.m. today has been fixed for discussion of the adjournment motion standing in the name of Mr. Bankim Chandra Mukherjee. So, you better raise this point after the discussion on the adjournment motion is over.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, if I remember aright, there is no bar to our raising point of privilege at any time and even during an adjournment motion.

Mr. DEPUTY PRESIDENT: But the rule is very strict as regards adjournment motions.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, I shall be very brief.

Mr. DEPUTY PRESIDENT: All right, what is it?

Mr. NAGENDRA NATH MAHALANOBISH: There was a comment in the newspaper *Morning News* casting serious reflections on the President of this Chamber and also on some of the members.

Mr. DEPUTY PRESIDENT: I am informed that that matter is under the consideration of the Privilege Committee.

Mr. HUMAYUN KABIR: Sir, I have also a point of privilege on which I would request you to advise the House. There was a reference by Mr. Haridas Majumdar to the arbitrary way in which vacancies in the Council are filled up from time to time. The other day you very rightly pointed out that the notification regarding the vacancy caused by the death of Mr. Altaf Ali was made after the matter had been mentioned by Mr. Majumdar. Now, Sir, though the Government has notified the vacancy and fixed a date for the election, nevertheless one question remains. There seems to be no principle or procedure, no definite rule according to which these vacancies are notified. Sometimes we find——

Mr. MESBAHUDDIN AHMED: On a point of order, Sir——

Mr. HUMAYUN KABIR: I am on a point of privilege and I do not think there can be any point of order now. Obviously, the Chief Whip is absolutely ignorant of the rules of procedure that there cannot be any point of order when a member is speaking on a point of privilege.

I was saying this. We find unfortunately that Government have no definite rules in this matter. Sometimes notifications are issued within a

week, sometimes they are not issued even after 8 or 10 months. I know the answer would be that these things are done by His Excellency at his discretion. We also know that on most of these matters, the advice of the Government, specially the advice of the Home Minister, is considered seriously by His Excellency before he comes to any decision. Therefore, I would, through you, request the Hon'ble Home Minister to make a statement before this House as to what are the principles which govern their decisions with regard to the filling up of the vacancies. Why is it that sometimes vacancies are allowed to lie there for a year or even more? Why is it that sometimes vacancies are filled up even within a week? If it were a territorial constituency, I could have understood some delay, for that might take some time. But in the case of the election from the Assembly to the Council, any differentiation between members of one kind and another is without any ground whatsoever. Therefore, Sir, I request you to ask the Hon'ble the Chief Minister, if he is willing, to make a statement on the situation, and if he is not willing to lay down before the House any procedure, would you advise how best to proceed in the matter?

Mr. DEPUTY PRESIDENT: Order, order. I am sorry I cannot make any definite statement at this stage. However, I promise to look into the matter and offer my advice in due course.

Adjournment Motion regarding non-payment of taxes.

Mr. BANKIM CHANDRA MUKHERJEE: Mr. Deputy President, Sir, I beg to move that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation that has arisen owing to the failure of the Government of Bengal to pay 9 lakhs of rupees as taxes of the Council House to the Calcutta Corporation thus causing considerable hardship to the ratepayers.

Sir, in moving my adjournment motion I would like to place before the honourable members some stern facts which speak for themselves. The honourable members might recollect that this House, I mean the Assembly House, which is numbered as 6, Esplanade Row, West, was constructed sometime before 1931 and it was completed at about that time. There was a controversy at the time about a triangular plot of 25 *katas* 6 *chitaks* of land and it was claimed by the Corporation as belonging to them. The Corporation also claimed taxes for the entire premises from 1931-32 onwards. The controversy about the title to the 25 *katas* of land being part of the Assembly Buildings was referred to the arbitration of the Hon'ble the Advocate-General of Bengal by an agreement, dated 21st day of August, 1941. Sir Asoke Roy, the Advocate-General, gave his award on the 23rd day of September, 1942, and he determined that the triangular plot of land is within the municipal limits of Calcutta as defined by the Calcutta Municipal Act, 1923, and that the proprietory rights in the said plot of land is vested in the Corporation of Calcutta. Thus ended the controversy about the title to the 25 *katas* of land. The valuation of the 25 *katas* of land was fixed at 3 lakhs 4 thousand and 500 at the rate of 12 thousand per *kata*. This amount has not been paid. I may state that the valuation was fixed not by arbitration but was subsequently determined with reference to awards of similar land and was accepted by Government, and the rent which the Corporation claimed for the occupation of this 25 *katas* of land for 14 years comes to 1 lakh 27 thousand and 890 and then the consolidated rate for the triangular plot from 1931-32 to the end of financial year 1944-45 comes to Rs. 10,547-6. I may mention that this only is the occupiers share of taxes because the Corporation so long is the owner of this part of the premises. Then we have the consolidated rate of the entire premises minus the triangular plot. The land 29 *highas* 14 *katas* and 10 *chataks* at Rs. 6,000 per *kata* comes to 35 lakhs 67 thousand and 750; so far as the building is concerned I am informed, Sir, that the Corporation repeatedly prayed to the Government of Bengal to supply figures about the amount spent in the

building as the Corporation is entitled to do in case of buildings occupied by owners of houses. The figures not having been supplied the Corporation has ascertained the figure to be 18 lakhs 62 thousand rupees. The total valuation of the entire premises minus the triangular plot comes to 54 lakhs 29 thousand 750 and the annual value at 5 per cent. comes to 2 lakhs, 71 thousand 488. The Corporation is also entitled to 10 per cent. of this from 1931-32 up to 1936-37 prior to promulgation of the Government of India Act. The total amount comes to one lakh 62 thousand 892. The Corporation is also entitled to the rate at 10 per cent. from 1937-38 to 1944-45; the total amount comes at 2 lakhs 17 thousand 190. The amounts due under the above heads total Rs. 8 lakhs 23 thousand 20 and annas twelve. So far as this figure is concerned there is no dispute and the Government has accepted it and I understand that a release order for this sum was actually passed but somehow or other the payment has not been made. There is a dispute with regard to the Corporation tax of the premises, I mean the owner's share of tax, from 1937-38 to 1944-45 which comes to 2 lakhs 17 thousand 190 and 8 annas. I might mention here for the elucidation of the honourable members that after the 23rd September, 1942, when the Advocate-General's award was delivered the correspondence commenced from November, 1942. Sometime shortly before the 22nd April, 1943, the Government gave its own valuation and the Corporation accepted the same by its letter, dated the 22nd April, 1943. It was also admitted that for the service by the Corporation and the Council House buildings the Corporation would be entitled to the ten per cent. of the valuation as from 1931-32 onwards. The Corporation received a loan of ten lakhs from the Government of Bengal for which it has to pay an interest at 2 per cent. The Corporation prayed that the dues of the Corporation from the Government on account of the Assembly Buildings might be set off but this has not also been accepted. Mr. Deputy President, Sir, these are stern facts for which I do not think there can be any denial. If a private rate-payer had the hardihood to behave in this way the Corporation would have taken measures under the Calcutta Municipal Act and realised the amount immediately. Now the Government however instead of paying this amount has been threatening the Corporation with supersession and I would like to deal with this matter as embodied in the Government letter, dated the 7th March, by the Secretary to the Government of Bengal, Public Health and Local Self-Government Department to the Corporation. Sir, in the *Amrita Bazar Patrika* we have a report which gives the statement of the Mayor. The Mayor stated that at an informal conference which was called by the Government he and certain Councillors of the Corporation, Mr. Methold, Mr. N. C. Paul, Mr. D. N. Mookerjee and Mr. S. N. Osman went with him. The Mayor stated that when they went they thought that there would be discussion but they found that the Government had already made up its mind to put the Corporation into bay by imposing a definite proposal to be given effect to by the Corporation which amongst others included an increase of the consolidated rate of 2½ per cent. I need not take up the other matters now as I would like to deal with them later on. Now this is a threat which was communicated to the Corporation by the letter to which I have already referred which states that the Corporation should indicate its acceptance of the terms in its entirety by the 16th March, failing which the Government intended to take action under the Public Health Ordinance and to supersede the Corporation. Now, Sir, so far as the increase of rates is concerned I do not know what business the Government has to interfere with the internal affairs of the Corporation. Besides the 8 lakhs and odd undisputably due to the Corporation and 2 lakhs and odd for which there is a dispute so far as the taxes of the Assembly House is concerned, the Corporation is entitled to the following amounts from the Government. Contribution for the maintenance of roads affected by military traffic for 3 years on the basis of 4½ lakhs of rupees a year for A.R.P. civil defence work, 4 lakhs of rupees for the food supply scheme up to 31st December, 1944, 31 lakhs 46 thousand and for

dearness allowance up to the 31st December, 1944, Rs. 3,01,000. The total comes to 23 lakhs of rupees. The Government also introduced the Rent Control Order some time in the year 1943 and the basis of rent that was fixed under the Rent Controller's orders was that rent paid in December, 1941, which was the lowest rent. As a matter of fact if the Corporation was enabled to reassess the premises on the basis of normal growth of rent the question of increasing the consolidated rate would not have arisen at all. On the contrary the Corporation would have been entitled to a large sum by way of enhanced taxes. The population of Calcutta which according to the last census was only 21 lakhs has now risen according to ration cards issued to 40 lakhs besides there is military population of 5 lakhs. The entire maidan which has been fitted up with water-supply for the military have been connected with the drainage and the filtered and unfiltered water-supply and although the Government agreed to pay for this service of the Corporation the Corporation is not getting anything.

It is clear, Sir, that the Government is not dealing with the Corporation in a fair manner. Now coming to the question of the increase of rates, I only refer the honourable members to the position of the Government of Bengal. Would the Government of Bengal like the Government of India to say when the Government of Bengal prayed for a subvention of 7 crores of rupees from the Central Government that the Central Government would request His Excellency the Governor to apply the provisions of section 93 if the Bengal Government did not adopt certain measures which the Central Government wanted the Bengal Government to do? The utter incapacity of the Bengal Government to manage its own house has been proved beyond doubt. The unwholesome food distributed during the famine period has affected the health of more than half the population of Bengal. Medicine is not available, cloth is not available, even articles of foodstuff are not available now. I may mention mustard oil as one of the instances which the population of Bengal required badly. The Government of Bengal cannot manage its own house and I would warn the honourable members that the rate-payers of Calcutta will not take the threat of supersession of the Corporation. They apprehend that the state of things which now appear in the administration of the Bengal Government would appear in a more virulent forms in the administration of the funds of the Corporation. The Government have absolutely no case so far as the Corporation is concerned. I further submit that if the Corporation can balance its budget without increase of 2½ per cent. consolidated rate the Government of Bengal has no say in the matter. I understand that although the Chief Executive Officer in his budget statement recommended an increase of 1 per cent. in the rates the majority of the Budget Committee of the Corporation have balanced the budget without any increase of rates. I submit it is now for the Government of Bengal to pay up the arrears and not come out with threats like the one which they have done in their letter of 8th March last in which they have asked the Corporation to increase the rates to 2½ per cent. along with other matters upon which I need not touch. With these words I move my adjournment motion.

Mr. DEPUTY PRESIDENT: Motion moved that this Council do adjourn its business for a definite matter of urgent public importance, namely, the situation that has arisen owing to the failure of the Government of Bengal to pay Rs. 9 lakhs as taxes for the Council House to the Calcutta Corporation, thus causing considerable hardship to the rate-payers.

Mr. HARIDAS MAJUMDAR: Sir, I support the motion which has been moved by my friend Mr. Bankim Chandra Mukherji. The manner in which the unpopular provincial Government, propped by European votes based on an unjust weightage, has been for some time bullying the Corporation of Calcutta, the premier representative body and perhaps the only self-governing institution in India, is fast becoming a scandal and no more

apposite illustration of cool, calculated affront and vindictiveness can be found than the mandate of the Government to increase taxation by 2½ per cent. while it itself does not pay dues to the extent of Rs. 9 lakhs. We often find in annual administration reports of municipalities that some commissioners do not pay tax which, however, is realised from a poor widow even by selling her utensils. I believe some able official who has to draft these reports year after year made this valuable suggestion of saving money and the Ministry at once accepted it recommending a knighthood for the clever man in the next Honours List. Sir, a general increase of taxation will cause great hardship to the majority of rate-payers belonging to the middle class, already hard hit by high prices current since 1943, and will constitute a major inequity of our time. A very large percentage of the rate-payers of this city is composed of Bengalee clerks working in mercantile houses of Europeans and Indians and, in a smaller number, in Government offices. While big European and Indian firms are making fabulous profits during this war and paying enormous sums to the Central Government by way of the Excess Profits Tax and while numerous European employees in this city are earning more than the Viceroy, and the sons, nephews and even distant relatives like আমার শালা পিসার ভাই of Indian businessmen have been glorified into the position of directors, advisers, managers, deputy managers and supervisors on fat emoluments and while all the sympathy of our Central M.L.A's. is reserved for big business trying to evade the income-tax, a hardworking race of honest workers is being exterminated, unwept and unsung and the present proposal of fresh taxation will only hasten the process. If the Government cared to study the family budget of this numerous class inhabiting the city, it would find that even in normal times these people earned a bare living wage and had no surplus over expenses of food, shelter, education of sons and marriage of daughters. The cost of living in Bengal has increased three times and, according to some, four times since the beginning of the war while the increase in wages of these people inclusive of dearness allowance, bonus, ration at cheaper prices and even normal periodic increment does not exceed 50 to 60 per cent. How can they bear now additional taxation? Does the Government want that they should sell their houses? They form the majority of Bengalees living here and their exit from Calcutta of all cities in modern or ancient times will be bereft of the children of the soil. A zealous Provincial Government would have represented to the Centre that no mercantile firm was justified in earning a rupee of the Excess Profits Tax on sweated labour and without paying their employees in current money the same wages as in August, 1939, the last pre-war month. A clerk getting Rs. 100 then should get Rs. 300 now to be on the old wage level but actually he gets now not more than Rs. 160 which, converted into current money, is Rs. 54. He has thus suffered a diminution of salary.

Sir, I do not hold any brief for the management of the Calcutta Corporation but the way in which the Government of Bengal is acting is really revolting and shocking to the meanest intellect.

With these few words, Sir, I support this motion.

The Hon'ble Mr. BARADA PRASANNA PAIN: Sir, Government welcomes the opportunity, which this motion affords of stating its own case about the subject-matter of this adjournment motion to which alone I shall confine myself. The Corporation's claim of Rs. 9 lakhs appears to have been calculated on the basis of consolidated rates at the rate of 19½ per cent. of the annual valuation of the Legislative Buildings and the compound of 31 *bighas* of land, from the first quarter of 1931-32 when the building was completed to the third quarter of 1936-37 and at 20 per cent. of the annual valuation from the fourth quarter of 1936-37 to the fourth quarter of 1944-45. In March, 1931, the Corporation assessed the premises to its consolidated rate and fixed the amount of tax at Rs. 60,469-8 payable annually.

This assessment was resisted by Government on the ground that the premises were within the Esplanade, which under Schedule I to the Calcutta Municipal Act, 1923, was excluded from the taxable jurisdiction of the Corporation.

The Esplanade, commonly called the Calcutta Maidan, is the physical area demarcated with a series of boundary pillars each bearing the inscription F. W. B. (Fort William boundary) and a serial number. While claiming that consolidated rates were not leviable on the premises except on a triangular plot of land measuring 1 *bigha* 5 *katahs* 5 *chataks*, 20 square feet in front of the Town Hall, where the statue of Lord William Bentinck stood, Government expressed its readiness to pay for filtered water and sewerage services. Government made their own arrangements for conservancy, lighting and unfiltered water, which is drawn from the Maidan mains, for which a bulk supply is purchased from the Corporation under a separate agreement. As for filtered water-supply, the Corporation has been all the time presenting bills and receiving payments at the usual rates for the supply of water out of town, viz., Re. 1 per 1,000 gallons in 1931, Rs. 1-4 till 31st March, 1944, and Rs. 2-8 per 1,000 gallons from 1st April, 1944. As regards sewerage connection, Government has always offered to pay reasonable rates, but this could not be settled as the Corporation have not stated their specific demand under this particular head.

Bills which had been submitted for occupier's share of taxes at consolidated rates for the first and second quarters of 1931-32 were called back by the Corporation in March, 1932, without any reasons being assigned. Government presumes that this was done because it was realised that the contention of Government was sound and that the premises were not liable to be assessed to consolidated rates.

The Corporation having expressed its desire to settle the matter by personal discussions, a series of conferences followed. Representatives of the Corporation discussed the matter with the Assistant Secretary, Public Works Department, in May, 1934, and with Hon'ble Sir Bijoy Prasad Singh Roy, Minister for Local Self-Government in April, 1935, in September, 1935, and in August, 1936.

Each time the Corporation representatives put forward new grounds in support of their claim for consolidated rates, and the following appear to have been the sum total of their contentions, viz.:—

(*a*) That the Council House being so close to Calcutta and having all the amenities of the city, it was fair that Government should agree to pay the consolidated rates;

(*b*) That the Council Chamber of the Government of Bengal should not be outside the taxable jurisdiction of the Calcutta Corporation;

(*c*) That all the amenities for which consolidated rates are charged were being supplied to the premises; and

(*d*) That the compound of the Council House includes the one *bigha* triangular plot on which the statue of Lord William Bentinck stood, which was within the Corporation jurisdiction, and that the entire premises were therefore liable to be assessed to the consolidated rates.

On the 14th July, 1936, Government gave the Corporation its final reply, reiterating its former position that the Corporation had no right to tax any land or building which did not lie within the municipal limits of Calcutta and that even if the triangular one *bigha* plot was held to have been within the municipal limits, the remainder of the lands and the buildings which were within the Esplanade area were not to be considered as being within municipal limits and were therefore not liable to be assessed to consolidated rates. In this connection, Government has been informed that the Victoria Memorial, the Ronaldshay Hut, and buildings under the Commander, Royal

Engineers, Presidency and Assam Districts, are treated as part of the Maidan and therefore outside the ordinary taxable jurisdiction of the Corporation.

The question of the triangular plot in front of the Town Hall was referred to arbitration, and the award has been given that it is within the municipal limits and is the property of the Calcutta Corporation. Government thereafter issued orders for the purchase of the plot at the agreed price of Rs. 3,04,083 for the payment of rent up to date amounting to Rs. 1,06,429 and occupier's share of taxes about it amounting to Rs. 10,534.

The Corporation's view point that the area in question had ceased to be Esplanade because it was built up and was no longer an open space and was therefore liable to assessment to the full consolidated rates has been examined by the law officers of the Government and it has been advised that the arrears of taxes in respect of the Council Chamber are not payable though the triangular plot is included in the same compound. Government have therefore addressed the Corporation agreeing to pay the arrears of the consolidated municipal rate in respect of the triangular plot together with its rent for the period of its occupation. Government have also offered to purchase the triangular plot from the Corporation at Rs. 12,000 a *cattah* as agreed by the Corporation. The Corporation has also been informed that the total amount thus due would be adjusted against the ways and means advances already made to the Corporation. I may mention here that the ways and means advances so far made and not yet repaid by the Corporation amount to no less than 70 lakhs of rupees. As to the rest of the area of the Council Chamber, Government are prepared and have always been prepared to accept reasonable terms of payment for specific services rendered by the Corporation. In fact the Corporation has accepted payments at the agreed rates for one item of such service, namely, supply of filtered water. We are prepared to negotiate for the other remaining item, viz., sewerage.

These are all the bald facts of the case and I fail to understand how Government can be accused of not having played the game with the Corporation. I wish, Sir, I could persuade myself to believe that it is a *bona fide* adjournment motion desiring to call attention to a matter of urgent public importance. What appears to me to be really matters of urgent public importance are the health of the city and the question whether this prosperous Second City of the Empire should tax herself fully for her own needs or whether the rest of this stricken province should continue to tax itself for her benefit. I oppose the motion.

Mr. BANKIM CHANDRA MUKHERJEE: I do not want to exercise my right of reply.

Mr. DEPUTY PRESIDENT: The question before the House is that the House do now adjourn.

The motion being put, a division was challenged and taken with the following result:—

AYES—17.

Rai Bahadur K. C. Banerjee.	Rai Bahadur B. M. Maitra
Mr. S. C. Chakraverti.	Mr. H. D. Majumdar.
Mr. Khorshed Alam Chowdhury.	Mr. N. N. Mohalanabish.
Mr. L. C. Das.	Mr. B. C. Mukherji.
Mr. N. C. Datta.	Mr. R. Pal Chaudhuri.
Mr. K. K. Dutta.	Rai Sahib J. N. Ray.
Alhadj Khan Bahadur Shaikh Muhammad Jan.	Mr. A. D. Roy.
Mr. Humayun Kabir.	Mr. Biren Roy.
	Mr. B. K. Roy Chowdhury.

NOES—18.

Mr. Mesbahuddin Ahmed.	Mr. Reajuddin Bhuiya.
Mr. Nur Ahmed.	Mr. Moazzemali Chowdhury.
Mr. D. L. Barua.	Mr. Hamidul Huq Chowdhury.

Mr. C. E. Clarke.	Mr. W. B. G. Laidlaw.
Mrs. K. D'Rozario.	Rai Bahadur R. B. Roy.
Mrs. L. P. Dutt.	Mr. K. C. Roy Chowdhury.
The Hon'ble Khan Bahadur S. M. Hossain.	Khan Bahadur M. Shamsuzzoha.
Mr. Latafat Hossain.	Dr. K. Talukdar.
Mr. Mohammed Hossain.	Khan Sahib Maulvi Wahiduzzaman.

Mr. DEPUTY PRESIDENT: The House has divided.

The Ayes being 17 and the Noes 18, the adjournment motion is negatived.

The Bengal Finance Bill, 1944.

Mr. DEPUTY PRESIDENT: The House will now take up the consideration of the Bengal Finance Bill, clause by clause.

Clause 1.

Clause 1 stand part of the Bill.

Mr. LALIT CHANDRA DAS: Sir, I beg to move that in sub-clause (*1*) of clause 1 of the Bill, for the figure "1944" in line 2, the figure "1945" be substituted. If my amendment is accepted the Bill would read "The Bengal Finance Bill, 1945" instead of "The Bengal Finance Bill, 1944".

Mr. DEPUTY PRESIDENT: Amendment moved that in sub-clause (*1*) of clause 1 of the Bill, for the figure "1944" in line 2, the figure "1945" be substituted.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, in conformity with the usual procedure which Government have always adopted with regard to amendments moved from the Opposition, may I request the Hon'ble the Finance Minister that he should oppose this amendment as well?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I do not accept the charge of the honourable member that I am always opposed to amendments moved from the Opposition; and as the present amendment is an excellent one, I am prepared to accept it.

Mr. DEPUTY PRESIDENT: Order, order. The question before the House is that in sub-clause (*1*) of clause 1 of the Bill, for the figure "1944" in line 2, the figure "1945" be substituted.

(The amendment was agreed to.)

Mr. LALIT CHANDRA DAS: Sir, I beg to move that in sub-clause (*3*) of clause 1 of the Bill, for the figure "1948" the figure "1947" be substituted.

Sir, it has been stated here that it shall remain in force after the 31st day of March, 1948. My suggestion is that this being a taxation measure with increased rate of taxation, it should not be extended for three years till the 31st day of March, 1948, but it should be brought down to 1947. Sir, Government does not suffer in any way. Only the Government need come with another Bill in 1947, and then if it is thought reasonable and proper the Legislature will certainly take into consideration the proposal of Government either for enhancing the taxation or for further extension of the Act. But extension of one Act to three years seems to be a long jump. In fact, Sir, a precedent ought to be established in the Province, as it is in the Centre that limiting the life of all financial measures to one year only. Here it will be impossible for me to change the habit of the Government all at once. So I am trying to bring it down by one year, and this, I think, will suit with their temper—by lessening the life of the Bill by at least one year; and my suggestion is that it should remain in force up till the 31st day of March, 1947.

Mr. DEPUTY PRESIDENT: Amendment moved that in sub-clause (*3*) of clause 1 of the Bill, for the figure "1948" the figure "1947" be substituted.

Mr. HUMAYUN KABIR: Sir, I was going to suggest that there are two amendments, similar in principle but slightly different so far as the period of the operation of the Bill is concerned. Both stand in the name of Mr. Lalit Chandra Das. One wants to limit the operation of this Bill up to 1946 and the other up to 1947. Would it not be proper if the amendment which is more extreme were taken up first? The second amendment which wants to vary the Government figure by only one year can be taken up later. The procedure always is that whenever amendments are moved, those amendments which are more extreme and differ more from the original motion are taken first, and those which approximate to the original motion are taken up later. Personally, I feel that I have more sympathy for amendment No. 3 than amendment No. 2. Amendment No. 3 will not logically be moveable if amendment No. 2 has already been defeated. The procedure always is that the amendment which is farthest from the original motion is taken up first. Therefore, I request, Sir, that you will allow him to move amendment No. 3 first and the speech which he has made may be treated as the speech on amendment No. 3, and I would then have something to say on that amendment.

Mr. LALIT CHANDRA DAS: I would have no objection to accept your suggestion, but what I mean to say is that I will move my amendment No. 3 first, namely, that which extends the Bill up to the year 1946 and then move my amendment No. 2, which aims at extending the life of the Bill to 1947.

Mr. DEPUTY PRESIDENT: You want to move both the amendments?

Mr. LALIT CHANDRA DAS: No, I would first of all like to move my amendment No. 3 and then would consider whether I would move my amendment No. 2, that is to say, after seeing the fate of my amendment No. 3.

Mr. DEPUTY PRESIDENT: Well, do one thing. As you have already moved amendment No. 2, you may move amendment No. 3 also together. No. 3 will be put first.

Mr. LALIT CHANDRA DAS: Very well, Sir. I accept your suggestion. I then move that in sub-clause (*3*) of clause 1 of the Bill, for the figure "1948" in line 2, the figure "1946" be substituted.

If Government accepts the amendment, then they will be following the precedent of the Centre. In the Centre the finance measure is a yearly measure and every year a Finance Bill has to come up to the Assembly for the consent of the House. I suggest that this healthy precedent should also be created by the Hon'ble Finance Minister here and in that event, instead of the life of the Bill being extended up to the 31st March, 1948, it will continue to exist only up to the 31st March, 1946. With these words, I move my motion.

Mr. DEPUTY PRESIDENT: Amendment moved: that in sub-clause (*3*) of clause 1 of the Bill, for the figure "1948" in line 2, the figure "1946" be substituted.

Mr. HUMAYUN KABIR: I beg to support the amendment and for reasons which I think are well known to the House. There are two different considerations for which I prefer amendment No. 3 to amendment No. 2. There is, first of all, the general question of principle. The Hon'ble Finance Minister had to agree on the last occasion that if the convention of annual Finance Bill could be established in this House, it

would be definitely an improvement upon the technique of administering the province. We have the system of annual Finance Bills or Supply Bills in the British Parliament. Something analogous to that, though not quite identical, obtains even in the Central Legislature. It has been found that this kind of scrutiny over the annual expenditure gives the legislature control over administration which it does not otherwise have. So far as members of this House are concerned, such procedure would have a special value. Members of this House often feel that they cannot exercise that control over the administration of the province which they desire. They also feel that such control would conduce to the better administration of the province. They are, however, tied down because of certain provisions in the Government of India Act. So far as voting on demands is concerned, we are not entitled to vote on demands for particular grants. There is, however, nothing in the Government of India Act which would prevent us from voting on supplies. If this principle of annual Supply Bills were once accepted, the Legislative Council would immediately secure a control over the expenditures of Government: not perhaps directly, but through scrutiny of the sources of revenue.

I think honourable members of this House would welcome some such check on Government, specially in view of what has happened during the last two or three years. The charge of corruption has been rife all over the province. The Honourable Finance Minister in his speech yesterday admitted, though with some amount of regret, but nevertheless he admitted that there was corruption everywhere in this province. He also had to admit that it could not be checked unless there existed what he described as a feeling of greater unity among the people of the province, not only inside but also outside the legislature. The Finance Minister also admitted that corruption could not be checked so long as a party Government was in power. He did not say this in exactly so many words but he felt that if there was a feeling of unity and a greater sense of responsibility in the legislature and outside, then an all-parties Government, a representative Government, would have been a fact in Bengal.

If it is not a fact, he admits by implication that there is a failure in the sense of responsibility and duty. And the member of the Government cannot escape the censure implied. I would ask the Hon'ble Finance Minister one question. Since he admits that without an all-party Government, without a Government which would be independent of the support of partisans corruption cannot be eradicated, may I ask what has he done to bring into being such an all-party Ministry? Partisans are uncertain quantities. A party Government depending on temporary and fluid support cannot check the corruption and dishonesty in Bengal. Even the best of Ministers are forced to bow down to the wishes of some who are out for mischief. There are Ministers and Ministers. The best among them cannot deny that they have to connive at things, because otherwise they would not find themselves in the position in which they are today. Is it not a fact that members—some of them belonging to the Legislature—have suddenly transferred themselves from one side to the other because certain criminal proceedings were pending against them? Those criminal proceedings have been dropped or allowed to be dropped of evidence suppressed because Hon'ble Ministers had to give protection to their proteges? That is surely what the Hon'ble Finance Minister had in mind when he said that if there had been greater public feeling and unity and more loyalty to the interest of the prvoince, there would have been a non-party Government in Bengal.

The non-existence of a non-party Government shows that there is a failure in public demand. In this House we have not been able to exert that pressure on Government which should be exerted. Not only the Finance Minister but other Ministers also admit that criticisms made in this House are often sounder and more constructive than criticisms made

elsewhere. This House has however no control over the finance of the province because the members here cannot vote on demands. But if the annual Supply Bills were there, if Financial Bills are renewable annually, the House will be able to control the sources of supply. The Hon'ble Finance Minister has himself admited that this procedure should be followed. The European Party also feel, and they admit this in private conversation, that if there are annual Finance Bills,—Bills renewable every year, it will go a long way towards checking the corruption and maladministration from which Bengal is suffering today. This is the chief reason why I support the amendment for extending the Bill only to 1946.

One argument against such procedure is often brought up by the Finance Minister and by some of his supporters. If the Bill is annually renewed, it will, they say, take a long time to get it through. But they forget that the Bill would be a one-clause Bill. The anticipated difficulty can easily be overcome. The Finance Bill would be a one-clause Bill which will remain in force up to a particular date. The amending Bill would be only a small one—that in place of one figure, 1945, another figure, 1946, may be substituted. Such Bills can be carried through within a very short time during the currency of the session either in this House or in the Legislative Assembly. In any case, there is the example of the British Parliament and the Central Legislature. They carry through such Bill every year, and surely, if the British Parliament can manage to do so, why not the Bengal Legislature? After all, can any one deny that the House of Commons is far more important and has a far heavier programme? (The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Question.) If the Hon'ble Finance Minister thinks that the Bengal Legislature is as important as the House of Commons, and that he holds as important a position as the Chancellor of the Exchequer of the British Parliament, he is welcome to his phantasy. I wish I could agree with him, but facts are facts. The world will laugh at him if he usurps the function or importance of the British Chancellor of Exchequer in the present conditions. I sincerely wish that the Hon'ble the Finance Minister of the Government of Bengal were enjoying the same status as the Chancellor of Exchequer of the British Parliament, not in his own estimation, but in the estimation of his fellow-countrymen and in the estimation of the world. I wish I could agree with him, but I have to state with very great regret that quite contrary is the case. His contention reminds one of the story of the elephant and the frog.

Now, Sir, I return to the question of principle. If the British Parliament or the Central Legislature can manage to get through an annual Finance Bill every year, there is no reason why the Bengal Legislature which sits for fairly long periods should not also be able to get through a single-clause Bill.

There is also a question of expediency to which I would draw the attention of this House. The expediency relates to the very abnormal times in which we find ourselves. This Bill was introduced at a time when conditions were unusual and serious in Bengal. Since the outbreak of war we have been living through abnormal times. Now it seems that those dark and evil days are drawing to a close, sooner perhaps than many of us dare to hope. Conditions of tranquility will soon return. The evil memories of the war with its attendent cruelties will become a thing of the past. In such circumstances, when better times are coming, I do not see any reason why the Finance Minister must lay heavy burdens on the province permanently. The period of the darkest tribulations is, we hope, over. Nobody can prophesy the exact date. In such matters prophecy is dangerous but we hope that perhaps by the next annual budget, we shall be living under conditions which would be materially different from the conditions now.

In such circumstances, how is it that the Hon'ble the Finance Minister desires that the life of this Bill should be prolonged, not for the duration

of the war, but also for a period considerably long after? 31st March, 1948, is still far away. I do not think that anybody except Herr Hitler and his supporters would say that the war would continue till 1948. I do not know why the Hon'ble the Finance Minister has also a predilection for 31st March, 1948. Is it an admission of the validity of such claims? So long as we can reasonably hope that normal conditions will soon return, there is no reason whatsoever for extending the life of this Bill to 1948. It would be enough if it is extended to 1946. If necessary, the Hon'ble the Finance Minister could review the Bill at the end of that period. He could carry the Bill through the two Houses within a short period.

With these words, I support the motion of Mr. Lalit Chandra Das.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I am sorry I am unable to accept either of the two amendments. As regards the annual Finance Bills, I have said more than once in this House that I have every sympathy with the desire for the establishment of a procedure similar to that which obtains in the Central Legislature. But even there the life of some financial Bills is more than one year. Now, as regards the establishment of a procedure similar to the one which obtains at New Delhi, I may say that I had examined the possibility of establishing such a procedure here, but I encountered certain constitutional difficultis of which I gave some indication on a previous occasion in this House.

As regards the present Bill, I claim that this Bill does not impose much hardship on the people. Secondly, we do not think that we shall be able to stabilise our finances in less than three years. Honourable members will realise that Bengal will take some time to readjust herself and three years is not a very long time. To be brief, let me say that we have precedents of Bills enacted by this Legislature, namely, Act XXIV of 1924, Act XIX of 1931, Act VIII of 1938, and so on. I hope the House will reject both the amendments.

Mr. DEPUTY PRESIDENT: May I take it, Mr. Das, that you withdraw your amendment No. 2?

Mr. LALIT CHANDRA DAS: Yes, Sir.

Mr. DEPUTY PRESIDENT: Is it the pleasure of the House to grant the honourable member leave to withdraw his amendment?

The amendment was then, by leave of the House, withdrawn.

Mr. DEPUTY PRESIDENT: The question before the House is that in sub-clause (3) of clause 1 of the Bill, for the figure "1948" in line 2, the figure "1946" be substituted.

(The amendment was negatived.)

Mr. DEPUTY PRESIDENT: The question before the House is that clause 1, as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 2.

Mr. LALIT CHANDRA DAS: I beg to move that in sub-clause (*1*) of clause 2 of the Bill, the proposed item (*i*) be omitted.

That is to say, that the entries "is more than three annas but is not more than four annas—half an anna" should be omitted altogether, so that tickets of that value will not bear any tax.

My reasons for this amendment are these: amusement is necessary for all people, and particularly for the labourers, and for those who are in the lowest stratum of society. They take advantage of the lowest class of tickets offered in the cinemas and other places of amusement by paying three annas only, as they are not in a position to pay more they should not be taxed. Their amusement capacity should not be taxed; relaxation is necessary and for the good of their health they should attend after a hard day's labour some sort of amusement once a week or so and as they can only go in for tickets whose minimum price is three annas only, they should not be taxed and therefore my suggestion is that this new rate of taxation should be omitted. With these few words, I move my amendment.

Mr. DEPUTY PRESIDENT: Amendment moved: that in sub-clause (*l*) of clause 2 of the Bill, the proposed item (*i*) be omitted.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I wholeheartedly support the amendment and would like to say that though I do not like to tax at all the people who attend cinema houses on payment of three or four annas but I must express myself against the proposed increased taxation of these classes of people, for the main reason that after all these poor people can perhaps afford to go to a cinema only after weeks or months. Therefore taxation of people of this sort is most undesirable. Amusement tax was really intended to tax those people who could afford to pay the tax but as you go on, down to the lowest rung of the ladder, you find the poorest class of people who enjoy their little amusements in the evening, and Government is now going to increase the tax in respect of these people. You can tax higher and higher up, the richer and the richest classes by higher and yet higher amounts but you should not tax the poorest class of people. Therefore, Sir, you cannot reasonably expect a very large amount of money out of this tax nor should you deprive the poor people of opportunities of amusing themselves. I would rather like to say that some of the other classes of amusement should be taxed more, as for instance, the turf,—the betting. They have also come under the taxation no doubt but you could have taxed them much more than what you have done. But here you have not spared the poorest class of people even from this half anna tax. I would therefore request the Finance Minister to reconsider the position and then give up this taxation as against these poor people. These people who used to earn five to eight annas a day formerly may now earn one rupee or two rupees a day but at the same time their cost of living has gone up three times also and they can hardly have two square meals a day; and if these people desire to have some amusements now and then they will have to collect money for weeks beforehand before they can expect to have any amusement. So that is an aspect of the matter which I believe has escaped the consideration of the Hon'ble Finance Minister. I therefore support this amendment and submit that this clause (*i*) should be entirely omitted.

Mr. HARIDAS MAJUMDAR: Sir, in supporting this amendment of my friend Mr. Lalit Chandra Das I am liable to be misunderstood. The present Bill is an ideal measure of taxation and worthy of support and if the activities of the present Government had not the semblance of huge fraud and if it were not so lost to all sense of decency as to have dealt out contracts for boat construction to the value of nearly 8 crores of rupees without inviting tenders in the press—a step which a mercantile house cannot even contemplate for hundredth part of the business, I for one would have voted with the Government in this matter. But in the present circumstances we cannot trust the Ministry with a rupee. Not a sparrow falls in any part of the province but the Government can make money out of the event and yet comes for more. To cite an illustration, it is at the

present moment making a profit of more than 13 lakhs of rupees per month out of the poor man's salt as the following figures will prove:—

	Rs.	a.
Purchase price of hundred maunds of salt ...	300	0
Government duty ...	156	4
Port Commissioner's toll ...	5	7
Value of 50 bags ...	21	0
Boat hire ...	15	0
Delivery charges ...	5	0
	502	11

This is the cost of 100 maunds and multiplying it by 2 we get Rs. 1,005-6, value of 200 maunds, *i.e.*, the value of 100 bags. Therefore the value of 1 bag is Rs. 10-0-9. Now, Sir, the selling price per bag is Rs. 12-4. So profit in one bag is Rs. 2-3-3 and profit in 6 lakhs bags consumed in a month in Bengal now is Rs. 13½ lakhs in round figures.

Seats of more than three annas but less than 4 annas in a cinema are available only in village shows and are patronised by poor rusties and the amendment seeks to stop this additional drain by the Government. These cinemas in the countryside are ruining the poor people and the late Sir P. C. Ray once wrote that coins marked with vermillion and apparently stolen by wicked boys from their mothers or grandmothers' সিঁদুর চুবড়ি *i.e.*, cane boxes formed a large part of the collections. Theft, however, does not confine itself to the family circle but becomes rampant in the whole villages round the cinema camp and conscientous District Officers have been found on the petition of local gentry to stop the exhibition. If there be no consideration of Government revenue being lost, the task of such officers will be facilitated.

The Government has not yet taken steps for preventing smoke nuisance within the auditorium which is repulsive to non-smokers and is positively injurious to general health in a crowded, closed covered place. The suffering of women and children on this account is very great indeed. It can be easily arranged that smokers may go into the corridors or outside the camps and smoke to their hearts content. Many diseases spread in this tropical climate due to this bad practice. I support the amendment because I am against this measure which should be renewed every year. But these things should be attended to and attention should be given by Government so that the measure becomes a helpful one and we cannot support Ministry on very many grounds. With these words I support the amendment of my friend Mr. Lalit Chandra Das.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the motion.

Mr. DEPUTY PRESIDENT: The question before the House is: That in sub-clause (*1*) of clause 2 of the Bill, the proposed item (*i*) be omitted.

(The amendment was negatived.)

Mr. LALIT CHANDRA DAS: Sir, I beg to move that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*ii*), for the words "half an anna" the word "nil" be substituted.

Mr. DEPUTY PRESIDENT: Amendment moved: that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*i*), for the words "half an anna" the word "nil" be substituted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is: that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*i*), for the words "half an anna" the word "nil" be substituted.

(The amendment was negatived.)

Mr. LALIT CHANDRA DAS: Sir, I beg to move: that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*ii*), for the words "one anna" the words "half an anna" be substituted.

In doing so, I desire to say that up to four annas there should be no tax. That is, the poorest class of the people who avail themselves of the amusement occasionally may not be taxed. The tickets should be half an anna and not one anna. That is all I have to say.

Mr. DEPUTY PRESIDENT: Amendment moved: that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*ii*), for the words "one anna" the words "half an anna" be substituted.

Mr. NAGENDRA NATH MAHALANOBISH: Mr. Deputy President, Sir, the amendment proposes to reduce the tax from one anna to half an anna in respect to the tickets between the value of annas four and eight. Now, I would support it, Sir, on the simple ground that this is also the poor people's tickets and you should charge your tax as little as practicable. But in this connection I would remind the Hon'ble the Finance Minister that having regard to the condition of Bengal today, he perhaps would not get much audience in the cinemas, because for want of cloth the women folk cannot go out of the house and after a few months it would be impossible for any woman to come out of the house far less to attend a cinema, it may be that even the menfolk would attend the cinemas with their loin cloth. Naturally, we would expect very little income from this source on which you are going to impose an additional tax. Better consult the Civil Supplies Department and make an early provision for supply of cloth to the people of Bengal and then without any increment of tax you will find larger income on old rate. I believe one of the main reasons for the smaller income on this head is due to want of clothing. It is no use trying to increase the rate of tax, but you can, if you like, have a greater income at the same rate of taxation, and the situation of Bengal to-day is such that it is extremely difficult to make people amusement minded. From morning till evening people are running after one commodity or another, and they are out to attend the ration shops to have their rice and sugar and other commodities, and they have to stand in queues for an hour before they can get their ration. Then you have the difficulty of kerosene oil and the difficulty of domestic coke or coal and over and above you have got the difficulty of cloth. Then you have got to attend your duty or office or avocation or whatever it may be, and this takes you from half-past 9 in the morning to half-past 6 in the evening, and then as soon as you come back home you are met with demands from the housewife with regard to other necessary articles. So where is the time for going to the amusement houses? That is the position that you gentlemen, you Hon'ble Ministers have created to-day in Bengal, and you are not at all concerned with the granting of any relief to these people on this matter, but you glibly come before this House with proposals of taxation. I think before you come for sanction on the head of taxation you should have been able to give some relief to these people of Bengal and also to find out ways and means to help us in our difficult times. You are always referring to the abnormal income of the people owing to the war, but you forget that this abnormal income does not help the people in the least, because if you draw a proportion you will find that the income of the people has increased in the same proportion as the cost of living has increased. Perhaps the cost of living has increased much more than the income. Therefore, Sir, I

would submit that this is not the proper time for the Hon'ble the Finance Minister to come with a taxation Bill like this and to tax the people at such a high area. I would suggest that if at all any taxation is necessary that taxation ought to be at such a reasonable rate as is practicable. I find that the present rate that has been proposed is too much and ought to be reduced to its half.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the amendment. Sir, would it be proper for me to suggest that my honourable friend Mr. Lalit Chandra Das might move all the rest of his amendments on clause 2 together, because they relate to the fixation of rates. The reductions proposed are on a particular basis.

Mr. LALIT CHANDRA DAS: What is it you want me to do?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I was suggesting that the honourable member might move all the other amendments standing in his name.

Mr. LALIT CHANDRA DAS: But there is some difficulty. I will just explain it to you. If I could I would have acceded to your request.

What I have decided to do is this: I shall move my amendments Nos. 8 and 9 only, and I won't move any of my amendments from 10 to 18.

Mr. DEPUTY PRESIDENT: All right.

Mr. LALIT CHANDRA DAS: I beg to move that in sub-clause (*1*) of clause 2 of the Bill, in the 1st column of the proposed item (*iii*), for the words "twelve annas" the words "one rupee" be substituted.

My reason is this: a variation has been made in the gradation of the tax with regard to persons who will have to pay different rates in the shape of annas and half annas. For instance, in item (*iii*) to clause 2 the entries are: is eight annas or more but is less than twelve annas—two annas. I want to do away with the figure of 12 annas and want to make the whole thing as eight annas to one rupee, into one section, in which the taxation would be similar, and not simply a variation of four annas each; that is to say, my amendment would embrace tickets priced at from annas eight to rupee one within the same rate. I suggest that the gradation of twelve annas from eight annas be done away with, and instead of two grades between eight annas and one rupee, there should be one grade only. So that tickets worth eight annas to one rupee will pay a tax of two annas only instead of two annas and three annas according to Government's gradation; that is, eight annas and one rupee tickets should be taxed uniformly. That is what I mean, Sir.

Mr. DEPUTY PRESIDENT: Amendment moved: that in sub-clause (*1*) of clause 2 of the Bill, in the 1st column of the proposed item (*iii*), for the words "twelve annas" the words "one rupee" be substituted.

Mr. BANKIM CHANDRA MUKHERJEE: I want to support the amendment moved by my friend Mr. Das, proposing that persons going to cinema houses and paying eight annas to one rupee for a ticket will be liable to pay a tax of two annas. I think honourable members would agree with me that it is generally the middle class people who go to cinema houses after the toils in the day and want some enjoyment in the cinema houses if possible. If you tax such people to the utmost the cinema owners will realise the tax over and above the amount that they realise as their share. Therefor the cinema owners won't be affected but it is the persons actually visiting the shows who will be affected. The proposal which Mr. Das made that there should be no distinction so far as the tax to be realised from people paying a fee of eight annas to one rupee is concerned and that the tax in both cases should be two annas instead of what is proposed in the Bill ought to be accepted by the House. With these words I support the amendment.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the motion.

Mr. DEPUTY PRESIDENT: The question before the House is that in sub-clause (*1*) of clause 2 of the Bill, in the first column of the proposed item (*iii*), for the words "twelve annas" the words "one rupee" be substituted.

(The amendment was negatived.)

Mr. LALIT CHANDRA DAS: I beg to move that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*iii*), for the words "two annas" the words "one anna" be substituted.

Sir, as I have already said, there should be one uniform taxation of persons paying annas twelve and the rate should be one anna and not two annas.

Mr. DEPUTY PRESIDENT: Amendment moved: that in sub-clause (*1*) of clause 2 of the Bill, in the column of the proposed item(*iii*), for the words "two annas" the words "one anna" be substituted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that in sub-clause (*1*) of clause 2 of the Bill, in the 2nd column of the proposed item (*iii*), for the words "two annas" the words "one anna" be substituted.

(The amendment was negatived.)

Mr. DEPUTY PRESIDENT: The question before the House is that clause 2 stand part of the Bill.

(The motion was agreed to.)

Clause 3.

Mr. DEPUTY PRESIDENT: Clause 3 stand part of the Bill.

Mr. LALIT CHANDRA DAS: I beg to move that in clause 3 of the Bill, in item (*i*) of the proposed sub-section (*1*)(*a*), for the words "fifteen units" the words "twenty-five units" be substituted. Here what we find in clause 3 is—"So long as this Act remains in force, for article (*1*) of the rates of duty specified in the First Schedule to the Bengal Electricity Duty Act, 1935, the following article shall be deemed to be substituted, namely:—

"(*1*) In respect of all premises not falling under article (*2*)—

(*a*) when the net charge of the licensee for the supply of energy for the purpose of lights or fans or both, does not exceed three annas for each unit of energy consumed, as follows, namely:—

In the case of a consumer whose consumption of energy during the month to which the calculation of duty relates

(*i*) does not exceed fifteen units—Nil,".

I only want that exemption should be allowed up to 25 units instead of 15 units.

Mr. DEPUTY PRESIDENT: Amendment moved: that in clause 3 of the Bill, in item (*i*) of the proposed sub-section (*1*)(*a*), for the words "fifteen units" the words "twenty-five" be substituted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I believe the honourable member through this amendment wants the exclusion of men who have poor income but who consume electric energy. But I think the fixation of 15 units as the minimum of exemption will relieve them all. It seems to me that that is enough protection to the poor people. I oppose it.

Mr. DEPUTY PRESIDENT: The question before the House is: that in clause 3 of the Bill, in item (*i*) of the proposed sub-section (*1*)(*a*) for the words "fifteen units" the words "twenty-five" be substituted.

(The amendment was negatived.)

Mr. LALIT CHANDRA DAS: Sir, I beg to move: that in clause 3 of the Bill, in item (*ii*) of the proposed sub-section (*1*)(*a*), for the word "fifteen" the words "twenty-five" be substituted.

If my amendment is accepted it will read "Exceeds 25 units but does not exceed 50 units—six pies for each unit of energy consumed". That is what my amendment seeks to provide.

Mr. DEPUTY PRESIDENT: Amendment moved: that in clause 3 of the Bill, in item (*ii*) of the proposed sub-section (*1*)(*a*), for the word "fifteen" the words "twenty-five" be substituted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is: that in clause 3 of the Bill in item (*ii*) of the proposed sub-section (*1*)(*a*), for the words "fifteen" the words "twenty-five" be substituted.

(The amendment was negatived.)

Mr. DEPUTY PRESIDENT: The question before the House is: that clause 3 stand part of the Bill.

(The motion was agreed to.)

Clauses 4 and 5.

Mr. DEPUTY PRESIDENT: The question before the House is: that clauses 4 and 5 stand part of the Bill.

(The motion was agreed to.)

Mr. LALIT CHANDRA DAS: Sir, with your permission, I beg to move a short-notice amendment, namely, that in the short title of the Bill for the figure 1944, the figure 1945 be substituted.

Mr. DEPUTY PRESIDENT: Amendment moved that in the short title of the Bill, for the figure "1944" the figure "1945" be substituted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: This heading is no part of the Bill. It is so consequential that I think that there is no necessity for that amendment.

Mr. LALIT CHANDRA DAS: But it is within your Bill; and in order to make our amendments consistent you should accept this amendment.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: All right, I accept the amendment, although it is not necessary.

Mr. DEPUTY PRESIDENT: Amendment moved that in the short title of the Bill, for the figure "1944" the figure "1945" be substituted.

(The amendment was agreed to.)

Mr. DEPUTY PRESIDENT: The question before the House is that the title and preamble be added to the Bill.

(The motion was agreed to.)

Mr. LALIT CHANDRA DAS: Sir, I think the general discussion should stand over till to-morrow. The general rule is that the third reading should be taken up on the next day. The exercise of discretion by the Chair should not be arbitrary, and it should be made only in exceptional cases.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: May I submit, Sir, that since the House has accepted the Bill *in toto*, and since the Bill should become law by the 14th April, it is somewhat urgent that we take up the third reading to-day?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the other day I got a Bill passed in which the first, second and third readings were taken up in one day.

Mr. LALIT CHANDRA DAS: Sir, rule 67 of the Council Procedure Rules runs as follows:—

"(*1*) If no amendment is made to the clauses of a Bill after a motion that a Bill be taken into consideration has been agreed to by the Council, a motion that the Bill be passed may be made at once without notice.

(*2*) If any amendment be made, any member may object to the passing of the Bill at the same meeting; and such objection shall prevail, unless the President in exercise of his powers to suspend this rule allows the motion that the Bill be passed to be made.

(*3*) Where the objection prevails, the Bill shall be brought forward again at a future meeting, and may then be passed with or without further amendment."

Now, Sir, I do not think that the matter is so very urgent or that any emergency has arisen that you should exercise your discretion.

Mr. DEPUTY PRESIDENT: May I have the opinion of the Honourable Leader of the Opposition? I do not want any interpretation of the rules but simply his opinion as to whether the third reading of the Bill should be taken up today or postponed.

Mr. KAMINI KUMAR DUTTA: I may say that as the movers of the amendments might have to say something on the replies given against them, and as honourable members who have supported the amendments may have something further to say in respect of the Bill, I think it is but fair that the third reading of the Bill be postponed till tomorrow.

Mr. BANKIM CHANDRA MUKHERJEE: As only 7 or 8 minutes are left, I do not think, Sir, you should exercise your discretion to relax the rule.

Mr. DEPUTY PRESIDENT: In view of the very short time that is at our disposal today for discussing the third reading of the Bill and in view of the importance of the Bill, it being a Finance Bill, and out of deference to the wishes of the Opposition, though the Chair has power to relax the rule on the subject, in this case I do not exercise that power. So the third reading is postponed till tomorrow.

Bengal Tenancy (Amendment) Bill, 1945.

The Hon'ble Mr. TARAK NATH MUKERJEA: Sir, may I have your permission to move that the Bengal Tenancy (Amendment) Bill, 1945, be referred to a Select Committee consisting of the following members:—

Mr. Nur Ahmed,
Khan Bahadur Abdul Hamid Chowdhury,
Mr. Hamidul Huq Chowdhury,
Mr. Mukleswar Rahman,
Mr. Moazzemali Chowdhury,
Mr. Orr,
Mr. Shrish Candra Chakraverti,
Rai Bahadur Brojendra Mohon Moitra,
Mr. Bankim Chandra Mukherjee,
Mr. Khoreshed Alam Chowdhury, and
the mover,

with instructions to submit their report by the 31st August, 1945, and that the number of members necessary to form a quorum shall be four

It is a very simple Bill and aims at amending section 49K of the Bengal Tenancy Act and bringing the aboriginal tenants in the same position as in the Bihar Tenancy Act.

I hope the motion will be accepted by the House.

Mr. W. B. G. LAIDLAW: Sir, may I move a short-notice amendment, namely, that my own name be inserted in place of that of Mr. Orr?

The Hon'ble Mr. TARAK NATH MUKERJEA: I accept the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that in the Select Committee personnel the name of Mr. Orr be substituted by that of Mr. W. B. G. Laidlaw.

(The question was agreed to.)

I will now put the main motion as amended:—

The question before the House is that the Bengal Tenancy (Amendment) Bill, 1945, be referred to a Select Committee consisting of the following members:—

Mr. Nur Ahmed,
Khan Bahadur Abdul Hamid Chowdhury,
Mr. Hamidul Huq Chowdhury,
Mr. Mukhlesar Rahman,
Mr. Moazzemali Chowdhury,
Mr. W. B. G. Laidlaw,
Mr. Shrish Chandra Chakraverti,
Rai Bahadur Brojendramohan Moitra,
Mr. Bankim Chandra Mukherjee,
Mr. Khorshed Alam Chowdhury, and
the mover,

with instructions to submit the report by the 31st August, 1945, and that the number of members necessary to constitute a quorum shall be four.

(The motion was agreed to.)

The House now stands adjourned till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Wednesday, the 14th March, 1945.

Members absent.

The following members were absent from the meeting, held on the 13th March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Khan Sahib Fariduddin Ahmed
(3) Mr. S. Ahmed.
(4) Khan Bahadur N. Amin.
(5) Mr. K. Baksh.
(6) Khan Bahadur Abdul Gofran.
(7) Mr. M. R. Jaipuria.
(8) Maulana Mohd. Akrum Khan.
(9) Mr. N. N. Mookerjee.
(10) Mr. R. S. Purssell.
(11) Khan Bahadur M. Rahman.
(12) Dr. K. S. Ray.
(13) Mr. S. N. Sanyal.
(14) Mr. Yakub H. S. Sattar.
(15) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-3185A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 16.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 14th March, 1945, at 1-30 p.m. being the sixteenth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, I.P.) was in the Chair.

QUESTIONS AND ANSWERS

Officers in charge of districts in Bengal.

58. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the total number of European officers at present in charge of districts in Bengal;

(*b*) the total number of Hindu officers at present in charge of districts; and

(*c*) the total number of Muslim officers at present in charge of districts?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Twelve.

(*b*) Seven.

(*c*) Eight.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state how many of these officers belong to the I.C.S. and how many to the B.C.S.?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state how many of them have put in 10 years of service in the province?

The Hon'ble Khwaja Sir NAZIMUDDIN: The majority of them I think have put in 10 years service.

Maternal mortality in Bengal.

59. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that maternal mortality in Bengal is higher than that in other Provinces of India?

(*b*) Is it a fact that child mortality in 4 months of 1944 was 3,410 under one year, and 3,777 between 1 and 5 years in Calcutta, while it was 57 per cent. in England?

(*c*) Is it a fact that a scheme to reduce or prevent maternal mortality was prepared and accepted by the Government of Bengal, but was not given effect to as recommended by the Health Survey Committee?

(*d*) Is it a fact that the Government of Bengal have not taken any steps to reduce or prevent maternal or child mortality in Bengal?

Mr. K. C. ROY CHOWDHURY (on behalf of the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) This is not so uniformly.

(*b*) The question is indefinite. It is not understood to which 4 months of 1944, the figures 3,410 and 3,777 relate, and on what basis the figure 57 per cent. in England has been calculated.

(*c*) No.

(*d*) No. A scheme for organising maternity and child welfare services in Bengal was approved and accepted by Government in 1939, and a good number of maternity and child welfare centres have already been established.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state what was the child mortality in the first four months of 1944 in Calcutta between the age of one year and five years?

Mr. K. C. ROY CHOWDHURY: I am afraid, I want notice.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state what is the exact figure of percentage for maternal mortality for Bengal and other provinces—arising out of (*a*)?

Mr. K. C. ROY CHOWHURY: I want notice. That information is not here. I shall have to procure it.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state how many maternity homes have been opened by Government and how many homes are run at Government expense?

Mr. K. C. ROY CHOWDHURY: A large number of maternity centres have been opened. But for the exact number I want notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Is it not a fact that maternity centres already opened have been opened by the local self-governing institutions, such as District Boards and municipalities?

Mr. K. C. ROY CHOWDHURY: I want notice.

Infant mortality in Bengal.

60. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that the infant mortality in Bengal is higher as compared to that of England and America?

(*b*) If so, do the Government propose to establish a Children's Bureau on the lines of similar Bureau in America to investigate and report upon all matters pertaining to the welfare of children and child life among all classes of people of Bengal especially to investigate into such questions as infant mortality, birth rates, orphanages, dangerous occupation, diseases of children, legislation affecting children, publications dealing with different phases of child welfare, to conduct baby week, campaign by travelling child welfare clinics and health units?

(*c*) If not, why not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) Yes.

(*b*) The question of establishing a Children's Bureau on the lines of those in more advanced countries will be considered when data are available regarding infant mortality, birth rates, diseases of children, etc., after necessary investigation for which a beginning has already been made by the opening of a maternity and child welfare section under the Director of Public Health.

(*c*) Does not arise.

Deaths in Bengal in 1941-44.

61. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state the number of deaths in Bengal, month by month and district by district, in 1941, 1942, 1943 and 1944?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: A statement furnishing the information as far as available is laid in the Library.

Mr. HARIDAS MAJUMDAR: Sir, I gave notice of a short-notice question on the 28th February 1945, regarding mustard oil, and you have admitted the question.

Mr. DEPUTY PRESIDENT: That question has been sent to the Department concerned.

The Hon'ble Khwaja Sir NAZIMUDDIN: When was this question submitted?

Mr. HARIDAS MAJUMDAR: On the 28th last.

Adjournment Motion.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I gave notice of an adjournment motion——

Mr. DEPUTY PRESIDENT: I am coming to that. I have received notice of an adjournment motion from Rai Bahadur Keshab Chandra Banerji which runs as follows: That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, nepotism and distribution of patronage among members of the Legislature and near relatives of the Ministers by the appointment of Syed Abdul Salim, M.L.A., Chairman, District Board, Dacca, as the sole handling Agent for yarn and cloths of finer counts for the Sadar subdivision of the Dacca district, including the city of Dacca and the granting of a special textile license to him for carrying on business in the above two commodities to the utter detriment of the trade and the interests of the consuming public.

Now, may I know if the honourable member has the leave of the House to move his adjournment motion?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I do not like to oppose the discussion of this motion. I would like this subject to be threshed out on the floor of this House, because there has been a considerable amount of unjustified talk regarding this matter and the facts ought to be known to the public.

Mr. DEPUTY PRESIDENT: Now I shall fix the date.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, to-morrow is also a non-official day. We have no objection to discuss it to-morrow or the discussion may be fixed on Monday.

Mr. LALIT CHANDRA DAS: We agree to sit on Monday next.

Mr. DEPUTY PRESIDENT: Then I fix 1-30 p.m. on Monday for the discussion of this adjournment motion.

The Bengal Finance Bill, 1944.

Mr. DEPUTY PRESIDENT: The Hon'ble Finance Minister.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to move that the Bengal Finance Bill, 1944, as settled in the Council, be passed.

Sir, I would like to point out to honourable members that this Bill is a necessary measure for strengthening the finances of Bengal. This Bill imposes on real hardship on the people. The only item that may possibly affect people of modest means is the electricity duty. But in these days of restricted lighting, I think the extra cost of electricity due to the additional duty is more than countervailed by this restriction.

As regards the Betting Tax, I thought it was the opinion of some honourable members that it should be increased. Sir, in regard to that we have had to take into consideration the marginal utility of this tax, and to see that taxing too heavily does not reduce the actual yield. Therefore, we have thought fit to propose rates which we think will not exceed the optimum level.

As regards the Amusement Tax, there was a strong expression of opinion that the lower priced tickets should be exempted from taxation. Sir, I do not see any reason, judging by my experience of cinema houses and other places of amusement, that there is any dearth of people who would be willing to pay this additional rate. As regards the higher priced tickets, it might have been possible to impose heavier rates, but I think the rates proposed are on the whole satisfactory.

I hope the House will pass this Bill so that it may go to the other House again for its concurence in the amendment that has been passed here, and that the Bill may come into operation before the Act which it seeks to replace expires.

I have nothing further to say in commending this Bill to the House except that honourable members, whatever they may say about the present Government, must realise that at least three years will be required by Bengal to stabilise her financial position. It must be remembered by the House that after the war the effectiveness of the Government of India's contribution will largely depend on our own financial position. At any rate, the Government of India's contribution will certainly depend on what we can produce ourselves. Honourable members may have read the Budget speech of the Finance Member of the Government of India. Towards the end of the first part of his speech he clearly hinted that those provinces who had taxed themselves more heavily and thereby secured surpluses should not be placed at a disadvantage in the matter of assistance from the Centre. That, Sir, is an ominous statement, and we should so conduct ourselves that we may present a case as favourable as possible to the Government of India for getting what I think would be our legitimate share of the Government of India's contribution.

Mr. DEPUTY PRESIDENT: Motion moved: that the Bengal Finance Bill, 1944, as settled in the Council, be passed.

Mr. NUR AHMED: Sir, I rise to support the motion just moved by the Hon'ble Finance Minister. I think this is a very modest Bill which has been put in by Government in this House. This is a Bill which wants to increase the rate of taxation on amusements and also on betting and other luxuries. This sort of tax has been imposed throughout the world and wherever there has been an emergency and any demand for more and more money recourse has been had to this sort of taxation. The Hon'ble Minister who is now the Leader of the House pleaded more than once in this very House for the imposition of such tax at higher rates. Sir, if you look to the statute books of other provinces in India, nay, in the world, you will find that in every civilized country resort has been made to a tax on what is called luxuries. I have compared the rates of such tax in Bengal with those of other provinces and it is found that in some provinces the rate is higher but this Government has been modest in its demand. I think there can be no two opinions on the subject as to the need of more money. I am therefore surprised to hear a remark from my honourable

friend the Leader of the Nationalist Party that he would like to refuse the Bill because he has got no faith in this Ministry. Sir, I am not alluding to the action of the present Ministry. I respectfully ask my honourable friends on the other side to remember the condition under which this Ministry took the management of this province even when there was a powerful opinion in Muslim League circles that the Muslim League should not shoulder the burden of office in this critical stage. We have heard from my learned friends of the opposition that an All-Parties Government would do better. Sir, after the fall of Burma when the crisis intensified and a great catastrophe was looming larger and larger, a strong all-parties Ministry was in office. We found that when the catastrophe came the country was taken aback and there was all-round misery and suffering and that Ministry was not able to cope with the situation.

Mr. LALIT CHANDRA DAS: On a point of order: My friend has been speaking on the advisability or otherwise of forming an all-parties Ministry: is this in order?

Mr. NUR AHMED: Sir, I am only answering a charge made against this Bill; I am not speaking on the general aspect of the ministerial question. I am surprised to see that such a desirable Bill is going to be opposed by this House. Sir, it is a Finance Bill. What is a Finance Bill? Let me dwell on one aspect of it, namely, as to whether there is or was any necessity or not for this extra money; whether Bengal wants more and more money for her nation-building activities. In showing the necessity for this I must allude to one fact, and I respectfully ask honourable members of the Opposition to remember what has been the increase in nation-building activities during the last two years.

Sir, in reply to my question the Hon'ble Finance Minister stated that it has gone up from 18 per cent. to about 67 per cent. If we look into the various items of the budget, we find that most of the money is required for rehabilitation purposes for nation-building purposes. In spite of this there is huge deficit—a deficit of 9 crores of rupees as the budget estimate has disclosed. So there is an imperative necessity of increasing taxation in this province. Of course, we know that Bengal is already highly taxed and Bengal's income *per capita* is lesser than in Punjab and other provinces; but still if you want to save people if you want to raise the standard living of the masses, you want more money and the Ministry must spend more money on the nation-building departments. This Finance Bill contains items of taxation on luxury. As regards cinema and amusement houses, who can afford to go to the cinema house, except only rich people? But in this province even though there was starvation staring us in the face and there was misery on all sides it is a surprise to us to see that people both in Calcutta and in the mofussil are all going to the cinema houses and the cinemas are over-crowded. There are some people who have got huge money and they can afford to pay tax and it is necessary that these persons should be taxed. There is mighty reason for taxing amusements and betting at this time. There is overflow of money in the country. From the latest statement made in the Central Assembly it is found that in 1944 out of a total of 120 crores spent on contract, a sum of 60 crores of rupees were spent in Bengal. There is no doubt that there is misery in one section; and there is another section of people who are rolling in wealth. This Bill is going to check inflation in however slight degree it may be. Of course, there is one aspect on which my friends may say something and that is taxation on electricity. It is an admitted fact that Bengal requires cheap electric power to develop her industries. To develop small-scale industries development of electric power is necessary. But it is a fact that up to this time all electric corporations are run by private companies and none of them are owned by Government or by any philanthropic body or syndicate which cater to the good of the people. Unless the Government

nationalises these enterprises, this tax should be imposed on electricity. There is another point why this tax should be imposed. Electricity is enjoyed by better class of people who can well afford to pay the tax. The poor do not use electricity. Sir, this Bill is not up to our expectation. Because many of the luxury articles have not been touched. Race course also should have been taxed. We do not find any item in this Bill in regard to the race course.

With these few words, I support the motion moved by the Hon'ble the Finance Minister.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, as regards the points raised by Mr. Nur Ahmed, I can assure him that some of the points are already under the consideration of Government. As no other member has spoken on the third reading, I need not say much.

Mr. DEPUTY PRESIDENT: The question before the House is: that the Bengal Finance Bill, 1944, as settled in the Council be passed.

(The motion was agreed to.)

Criminal Procedure (Bengal Amendment) Bill, 1945.

The Hon'ble Khwaja Sir NAZIMUDIN: Sir, I shall not take the Bengal Legislature (Corrupt Practices and Election Enquiries) Bill, 1945, today, but I shall move it on some other day. I take up the third item on the agenda now.

I beg to move: that the Criminal Procedure (Bengal Amendment) Bill, 1945, be taken into consideration.

Mr. DEPUTY PRESIDENT: Motion moved: that the Criminal Procedure (Bengal Amendment) Bill, 1945, be taken into consideration.

Mr. LALIT CHANDRA DAS: Sir, I have some amendments.

Mr. DEPUTY PRESIDENT: That you would mention later on.

Mr. NAGENDRA NATH MAHALANABIS: Mr. Deputy President, Sir, I beg to move that the Criminal Procedure (Bengal Amendment) Bill, 1945, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1945.

Now, Sir, the object of this amendment is to ensure that before we go into a legislation of this nature affecting only one province we should be first armed with the public opinion on this point or the opinion of those who are going to administer this law, I mean, the Bar Association, the Judges and the Executive Officers. The Criminal Procedure Code has been in force in this country from almost after the British occupation: it is an all-India legislation passed by the Imperial Legislature, and it has been working all these years without any difficulties so far as this particular point is concerned. But we have not been given to understand from the Statement of Objects and Reasons for this Bill as to what were the circumstances which led the Hon'ble Minister in charge to introduce this special form of amendment to be applied only in Bengal. What are the circumstances in Bengal? What is the difference in this particular respect between Bengal and the other provinces? Are riots much more frequent in Bengal than in other provinces? Is there any particular reason why the Assistant Sub-Inspectors in Bengal should have special powers which the same officers in other provinces do not have? Are there more police officers, more sub-inspectors and other officers in other provinces in charge of the police-stations that they do not require special provisions? Is it that in Bengal there are smaller numbers of sub-inspectors in charge of police-stations or attached to police-stations that in cases of riots sub-inspectors are not able to do

the statutory job? As honourable members are aware, this business of suppressing riots is a very serious business, a business which requires much intelligence, much courage and much tact and the proposal of the Hon'ble Minister in charge of the Bill is to invest practically raw junior assistant sub-inspectors, who have perhaps not put in even 5 or 10 years service, with such responsible duty which even experienced magistrates find it difficult to perform. Now, Sir, it would have been much better if before introducing the Bill here the Hon'ble Minister had ascertained public opinion and even the opinion of their own responsible officers and then introduced this Bill. My point is that the opinion of men whose opinion counts in this matter has not been ascertained and that if this opinion were taken it would have been found that this particular provision is absolutely unnecessary and I should say most mischievous. Sir, you have heard or you must have read of cases of occasional riots and steps taken by officers in charge of police-stations or by magistrates who were deputed to quell such riots. There have also been in Bengal recently one or two cases when the actions of those who were responsible for suppressing riots were condemned and I think that a Commission of Inquiry had to be appointed for the purpose of enquiring into the conduct of those who were in charge. Now, Sir, in respect of some of those cases honourable members may remember that the person in charge was no other than a member of the Indian Civil Service, an experienced District Officer and serious charges were laid against him of hasty action; that is the position that we find with regard to the matter of suppressing of riots by experienced I.C.S. officers and yet that responsibility is now going to be thrust on inexperienced assistant sub-inspectors of police. And not only that, Sir; by a proviso the Hon'ble Minister, as if by the backdoor was trying to give the same responsibility to an ordinary head constable. I do not know why this proviso has been added. The meaning of the proviso is perfectly clear, and that is that the Honourable Minister wants to invest an ordinary head constable with the power of suppressing riots and what does it mean? It means that the life of several men who might have joined together in assembly either for committing an offence or for an innocent purpose may be in danger. I do not know when there will be another Bill put forward to invest ordinary constables and village chowkidars with the power of suppressing riots. Sir, why the Government should be unable to check riots through the responsible officers, the District Magistrate, the Subordinate Magistrates and officers in charge of police-stations though, as it is now, even an Assistant Sub-Inspector of Police can really exercise the power of an officer in charge of a police-station in the matter of suppressing riots if he for the time being be in charge of a police-station in the absence of the officer in charge; that goes a great way to help the police to discharge their duties in case the officer in charge of the police-station is either for sickness or otherwise absent from the police-station. If this is quite enough for suppressing riots in other provinces in India I submit that this ought to suffice in Bengal also, and there is no reason whatsoever why this extraordinary power should be given to the assistant sub-inspector of police. We know that assistant sub-inspectors after 5 or 7 years of service are promoted to be sub-inspectors and that when they are promoted to be sub-inspectors they are allowed to hold charge of police-stations. Then it comes to this that when you give them the power to suppress riots you are practically giving this wide power to the police officers who have served in the Police Department for only 5 or 7 years. Would anybody in this House like to invest such raw, inexperienced officers with such large responsibilities? It is extremely difficult as you all know to decide in the first instance whether the intention of persons collected for a particular purpose at a particular place is or is not illegal. The police officers who might be there must first of all ascertain whether it is a lawful or unlawful assembly and the distinction sometimes is so thin and so fine that one would be surprised to find an assistant sub-inspector of police possessing sufficient

intelligence to find the difference between lawful and unlawful assembly and I am afraid, they may often declare a lawful assembly as unlawful assembly. That is the first stage and the next stage is how to disperse them and for the dispersal of an unlawful assembly the police officers and the Magistrates have the same power as referred to in the Code, and practically includes the taking the life of the people. They can start with moderate *lathi* charge: they can proceed with heavy *lathi* charge and they can fire and kill. That, I submit, Sir, is such a great responsibility that I think it should not be given in any circumstances to those young officers, namely assistant sub-inspectors or head-constables. It should be ascertained how it is working in other provinces. Why does not the Central Government take this into consideration and apply the same principle there? The fact that the Central Government do not think that such power should be given indiscriminately to the assistant sub-inspectors and head-constables; is a strong ground for believing that it is not necessary and there is nothing exceptional in Bengal which should induce the Hon'ble Minister in charge to make an exception in the case of Bengal and give this power to Bengal assistant sub-inspector and head-constable. I say that most of the assistant sub-inspectors are Bengalees and most of the head-constables are unfortunately up-country men——

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, may I just intervene for a moment? To cut short the discussion—if the honourable members on the other side agree to Mr. Lalit Chandra Das' amendment to circulate the Bill for the purpose of eliciting opinion by the 30th June, 1945, I am prepared to accept it.

Mr. LALIT CHANDRA DAS: Sir, I am prepared to accept it.

Mr. DEPUTY PRESIDENT: As Mr. Mahalanobish has already moved his amendment, I think it is necessary that he should ask the leave of the House to withdraw his motion.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, I may accept 30th June, 1945, as suggested and I think this will be quite in form.

Mr. HUMAYUN KABIR: Sir, with your permission,—since there is an agreement to send the Bill to a Select Committee,—I may move that for the words "31st December, 1945", the words "30th June, 1945" may be substituted.

Mr. DEPUTY PRESIDENT: As there is already a notice tabled by Mr. Lalit Chandra Das to that effect, I think it is better that Mr. Das should move his amendment.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, it is entirely for you to decide; but will it not be proper so far as my motion is concerned; and when I am in possession of the House I may move my amendment in the amended form as suggested by the Hon'ble the Home Minister.

Mr. LALIT CHANDRA DAS: Sir, it is the Home Minister who suggested that since there is an amendment in the name of Mr. Lalit Chandra Das, the Government would have no objection to accept that.

Mr. DEPUTY PRESIDENT: Mr. Mahalanobish, there is a convention that a mover cannot move his own amendment.

Mr. HUMAYUN KABIR: I have already moved the amended amendment that instead of 31st December, 1945, 30th June, 1945, be substituted. When Mr. Mahalanobish's amendment is before the House and when he is agreeable to accept the changed date, why deny him the pleasure of having his amendment accepted by Government? The Hon'ble the Home Minister

agreed to send the Bill to a Select Committee after hearing some of his arguments. (Mr. HAMIDUL HUQ CHOWDHURY: When Mr. Lalit Chandra Das could foresee the thing, let him have the pleasure.)

Mr. DEPUTY PRESIDENT: Are you prepared to move your amendment in the amended form?

Mr. LALIT CHANDRA DAS: Yes, Sir, I beg to move: that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th June, 1945.

Mr. DEPUTY PRESIDENT: Amendment moved: that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1945.

Since which an amaendment has been made: that in place of 31st December, 1945, 30th June 1945, be substituted.

Now, the whole motion would stand thus: that the Criminal Procedure (Bengal Amendment) Bill, 1945, be circulated for the purpose of eliciting opinion thereon by the 30th June, 1945.

The question before the House is: that the Criminal Procedure (Bengal Amendment) Bill, 1945, be circulated for the purpose of eliciting opinion thereon by the 30th June, 1945.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: Order, order. I take it that it is the desire of the House that the time for sitting should be changed from 1-30 p.m. to 2-15 p.m.?

The House stands adjourned till 2-15 p.m. to-morrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Thursday, the 15th March, 1945.

Members absent.

The following members were absent from the meeting held on the 14th March, 1945 :—

(1) Khan Bahaadur Naziruddin Ahmad.
(2) Mr. S. Ahmed.
(3) Khan Bahadur N. Amin.
(4) Mr. K. Baksh.
(5) Khan Bahadur Abdul Gofran.
(6) Mr. M. R. Jaipuria.
(7) Maaulna Mohd. Akram Khan.
(8) Mr. N. N. Mookerjee.
(9) Mr. R. S. Purssell.
(10) Khan Bahadur M. Rahman.
(11) Dr. K. S. Ray.
(12) Mr. S. N. Sanyal.
(13) Mr. Yakub H. S. Sattar.
(14) The Hon'ble Sir B. P. Singh Roy.

BGP-45/6-3184A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 17.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 15th March, 1945, at 2-15 p.m., being the seventeenth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

QUESTIONS AND ANSWERS

Co-operative Saving Banks.

62. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state if any scheme for establishment of Co-operative Saving Banks on the lines of Postal Saving Banks for the benefit of seamen, sailors, labourers, air and land forces, etc., to be put into operation after the war, has been prepared in Bengal?

(*b*) If not, why not?

(*c*) Has any scheme for starting Co-operative Banks and Societies for checking waste and to ensure small saving among the people of Bengal been prepared by the Government of Bengal?

(*d*) If not, why not?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary, (on behalf of the Hon'ble Mr. Jogendra Nath Mandal): (*a*) No.

(*b*) and (*c*) There is already a network of Co-operative Banks in the Province which do "Savings Bank" business. These can be utilised by the classes of persons mentioned in (*a*). Co-operative Banks and Societies encourage small savings among the people.

(*d*) Does not arise.

Mr. NUR AHMED: With regard to (*a*), will the Hon'ble Minister please state if Government contemplate the establishment of any savings banks for the benefit of seamen, sailors, labourers, air and land forces?

Mr. K. C. ROY CHOWDHURY: There is some difficulty about this because seamen are not a settled people: they move about from one port to another, but this matter is receiving the attention of Government.

Khan Sahib WAHIDUZZAMAN: With regard to (*a*), will the Hon'ble Minister please state if Government has made any investigation whatsoever with regard to the organisation contemplated in question (*a*), namely, with regard to the establishment of these societies?

Mr. K. C. ROY CHOWDHURY: Ordinarily, there will be the loans societies for the benefit of these classes of people but the classes of people mentioned here are not a settled people; so, for them there will be the ordinary co-operative societies. They can also put their savings in the ordinary way; they have got savings banks branches in the co-operative bank.

Khan Sahib WAHIDUZZAMAN: Sir, my definite question was: whether Government has made any investigation with regard to the establishment of these types of society among the seamen, airmen and other labourers.

Mr. K. C. ROY CHOWDHURY: There is a report, as I have already said, that as these classes of people are not a settled people, I mean, not settled in a particular area but move about——

Khan Sahib WAHIDUZZAMAN: Sir, the question is: whether there has been at any time any investigation.

Mr. K. C. ROY CHOWDHURY: Some investigation was made according to the report.

Khan Sahib WAHIDUZZAMAN: When and by whom?

Mr. K. C. ROY CHOWDHURY: I want notice in order to give those particulars.

Co-operative Building and Loan Societies.

63. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether any co-operative building and loan societies have been formed in Bengal on the model of United States of America as mutual co-operative financial institutions with saving and borrowing members who can make use of the societies as a medium through which they can borrow funds to buy, build or repair houses?

(*b*) If so, how many and at what places?

(*c*) If not, why not?

The Hon'ble Mr. JOGENDRA NATH MANDAL: (*a*) Yes.

(*b*) Six. Names and their locations are given below—

(1) Calcutta Co-operative Housing Society, Limited.

(2) Alipur Co-operative Housing Society, Alipur, 24-Parganas.

(3) Calcutta Suburban Co-operative Colony, Dum Dum (24-Parganas).

(4) Darjeeling Co-operative Housing Society, Darjeeling.

(5) Mymensingh Co-operative Housing Society, Mymensingh.

(6) Char Fasson Co-operative Housing Society, Bhola subdivision (Bakarganj).

(*c*) Does not arise.

Mr. DEPUTY PRESIDENT: Questions over.

I have received some notices of adjournment motions. There is already one motion the discussion of which has been appointed to take place on Monday next. So I will take up these motions after that motion is disposed of.

Non-Official Resolutions.

Mr. DEPUTY PRESIDENT: The House will now resume further discussion on the resolution of Mr. Nur Ahmed regarding the development of the drug industry.

The Hon'ble Mr. K. SHAHABUDDIN: Sir, it is sometime that the debate took place on this resolution. As far as I remember, Khan Bahadur Momin very ably pointed out that there were certain difficulties that were confronting the Government in the matter of giving effect to the main idea of the resolution.

As far as we are concerned, I have taken certain steps to further investigate the possibility of indigenous drug industry. I was very agreeably surprised to find that as far as the drug industry in Bengal is concerned, it has advanced a great deal. I was told that practically all the medicines under the British pharmacopoeia are capable of being produced in this

province. I called a representative conference and I have told them that I shall be very happy if the Association would formulate their needs and also indicate in what manner they want the assistance of the Government in order to expand and extend this industry. It was agreed in that conference that the Association would draw up a memorandum and forward it to the Government and then after examination of that memorandum, if necessary, Government will appoint a small committee to go into the matter more fully and give us a definite scheme. As far as Government are concerned, they are awaiting that memorandum from the Association. In these circumstances I hope after what I have said the honourable member will consider the desirability of not pressing his motion, because, as I have already said, we are fully alive to the need for the development of this industry. As a matter of fact, in my opening remarks at the conference I acknowledged the efforts that have been made by the honourable mover of the motion in bringing this question to the pointed notice of the Government and I must say that great credit is due to him for making us take a definite action in the matter——

Mr. HAMIDUL HUQ CHOWDHURY: Sir, before the Hon'ble Minister closes his speech may I have some information from him? He has spoken of assistance and aid, but may I enquire what plan Government have of their own regarding the establishment of the drug industry in this province.

The Hon'ble Mr. K. SHAHABUDDIN: Sir, I think the honourable member did not listen to my opening remarks. I have already said that the drug industry is at a very advanced stage in our province. Perhaps my honourable friend would be surprised.....(Mr. HAMIDUL HUQ CHOWDHURY: The Bengal Chemical Works) well, it is our misfortune that the honourable member does not know that there are a number of other chemical industries which are carrying on good business. We are definitely assured, as I have said before, that practically all the preparations under the British Pharmacopoeia are being prepared here. I think the House will be agreeably surprised that the total production in the province not only does meet the requirements of this province but is also exported. Of course, now they do not export but they used to export before the war. However, we are going into the matter more fully. We are getting reports and memorandum from the Association and if it is found that Government should start their own industries, Government will certainly consider that also.

Mr. NUR AHMED: Sir, in reply I may say a few words. I first thank the honourable members of this House for their whole-hearted support to the resolution. I must also extend my thanks to the Hon'ble Minister in charge of the Department who has already taken action on this resolution before it was adopted. I hope he will do something in this matter. Khan Bahadur Abdul Momin, for whom I have the greatest respect and from whom I have learnt many things in my public life —in fact his example inspired me while he was in Chittagong —, he was pleased to support this resolution and in the course of his speech he pointed out some difficulties of giving effect to this resolution. He mentioned one particular fact, namely, the want of any standard pharmacopoeia of these indigenous systems of medicine. Sir, Government of India appointed a Committee which is known as the Indian Indigenous Drug Enquiry Committee. That Committee went into this question and it was found by that Committee that about 80 per cent. of Indian population and 85 per cent. of Bengali population resort to this system of indigenous treatment; especially in numerous villages and in small towns the poor people generally resort to *kavirajes* and *hakims* who cater to their needs. Not only hundreds but thousands or lakhs or even crores of people depend upon these systems of treatment. That Committee also stated that there were numerous plants which could be scientifically used for these medicines. Of course, we get these herbs and drugs in bazar, because they are sold in a more or less

adulterated or spurious condition. Sometimes the bazar drug-dealers cheat the people by selling spurious drugs: sometimes thereby they endanger their lives by so adulterating the medicines. It is, therefore, necessary that these preparations of drugs should be regulated and practising in the same should also be controlled, and it was suggested by that Committee that, firstly, none but the registered *hakims* and *kavirajes* should be allowed to practise. They recommended the establishment of schools for the training of these *kavirajes* and *hakims*, and they also recommended that there should be an agency for inspection of these pharmacies which prepare these drugs and also for inspection of sale of drugs in the market. They also suggested that special power should be given to persons who will be appointed to inspect and check the drugs in the market, especially in view of the fact that *kavirajes* and *hakims* now-a-days very rarely prepare their own medicine as was used to be done by renowned *hakims* and *kavirajes* in the past, and that they mostly depend on the bazar preparation. In the two systems of medicine, well-known experts should be appointed by Government to control the preparation of these drugs. Sir, they have also suggested that an Expert Committee should be appointed for the preparation of a standard pharmacopoeia.. Sir, it was found out that there are many such pharmacopoeias in India and these can be used and a standard laid down. I have come to know that such a pharmacopoeia has been prepared by the Ayurvedic and Tibbia Colleges of Delhi——

Mr. LALIT CHANDRA DAS: On a point of order, Sir. Is the honourable member replying to the Hon'ble Minister or is he making a new speech?

Mr. NUR AHMED: No, Sir, I am not making a new speech. There are enough materials in India which can be used to prepare a standard pharmacopoeia; and it is very necessary for the good of the vast population of Bengal, because the other alternative treatment, namely, Allopathy, is practically little used in villages for allopthic doctors are very few in the mofussil and allopathic medicine is very costly.

Under the circumstances, I believe that this is an opportune moment for the Government of Bengal to prepare a comprehensive plan for the development of indigenous drugs. It is unfortunate that in Bengal there is no Tibbia College. There is one such college at Dacca, but it is a private institution. In Chittagong, an attempt was made by a famous *kaviraj* to start an ayurvedic institution, but for want of encouragement and for want of money it could not make any headway. Sir, I may state in this connection that the Government of Assam has already taken steps in this direction, and they have also povided money in the next year's budget for establishing a Tibbia College there. I think that if a scheme is prepared with the help of experts then money will be forthcoming, there will be no dearth of money. With these words, I again thank the House and the Hon'ble Minister for according whole-hearted support to the resolution.

Mr. DEPUTY PRESIDENT: Mr. Nur Ahmed, do you press your motion? Or do you wish to withdraw it?

Mr. NUR AHMED: Yes, Sir, I press my motion.

Mr. DEPUTY PRESIDENT: Do you want to exercise your right of reply, Mr. Shahabuddin?

The Hon'ble Mr. K. SHAHABUDDIN: No, Sir.

Mr. DEPUTY PRESIDENT: The question before the House is: that this Council is of opinion that the Government of Bengal be urged upon to formulate and put into operation a comprehensive and well-planned scheme for the development of indigenous drug-industry in Bengal.

(The resolution was agreed to.)

Mr. LALIT CHANDRA DAS: Sir, before I move the next resolution which stands in my name, may I mention one thing? I am afraid one word has been perhaps inadvertently left out in my resolution, namely, the word "political", which should occur after the word "security" in the first line. Therefore, with your permission, Sir, I would move my resolution as amended as follows:—That this Council is of opinion that all security political prisoners taken under the Defence of India Rules and Act or under Regulation III be set free without any further delay.

Sir, during interpellations, in reply to supplementary questions regarding the release of political prisoners Khan Bahadur Muhammad Ali, Parliamentary Secretary to the Hon'ble Chief Minister, told the Assembly on the 9th of March last that the present number of detenus was Political —1,317, and Criminal—2,276. I want to make it clear at the very outset that my motion relates to these polticals and to 16 others who have been imprisoned under Regulation III of 1818. Sir, all are aware that Sir Nazimuddin on the eve of the formation of the present Ministry enunciated certain principles and policies which he promised he would follow in the governance of the province. One of those principles and policies is that Government should release the political prisoners as fast as possible and at the earliest opportunity. Sir, that promise he has failed to fulfil as yet. Up till now the political prisoners released total only 550; and as already stated a vast majority are still detainees. Sir, the release of these prisoners is proceeding at such a snail's pace that there has been a flutter even among the Government's own supporters and so to wriggle out of awkward situation Khan Bahadur Muhammad Ali stated the other day in the Assembly that the Ministry had nothing to do with the matter except assenting to what the Governor does. He revealed that the Governor reviewed the cases of the political security prisoners with the aid of "security advisers". Sir, we want to know from Sir Nazimuddin whether it is true. We want to know, Sir, how and when security advisers came in and under what provisions of law. We want to know from Sir Nazimuddin who those security advisers are: we want to know whether the Ministry abdicated its function to aid and advise the Governor as to which of the prisoners must be released. Sir, we are aware of the fraudulent character of the Constitution which purported to confer autonomy on the provinces but actually did not do so. We are aware, Sir, of the special responsibilities of the Governor and that in certain cases he can exercise his individual judgment or act in his discretion. In all other cases, however, he is bound to accept the advice of his Ministers. We fail to understand how and where security advisers come in. Sir, if the names of the security advisers are not disclosed, the public will be led to believe that the Ministry sold away for the loaves and fishes of office whatever little right the Constitution offered to the people.

Sir, I fear that our Ministers are making themselves so many automatons in the hands of the Governor and the Home Member of the Government of India. I was surprised to read a certain statement of the Hon'ble the Home Minister. "The fact was, as I would like to say now", observed Sir Nazimuddin, "that the Government of India had a say in the matter. In certain cases, on certain occasions, the Government of India had got to be consulted before the policy of release was accepted or adopted".

Sir, we can understand the Government of India in the plctitude of its power seizing or arresting persons in any of the provinces in India as they did in the case of Mr. Sarat Chandra Bose and Mr. Maniruzzaman Islamabadi for which responsibility is entirely theirs. But will the Hon'ble the Home Minister tell us how they come in the cases of the prisoners seized by the Provincial Government and maintained by them? Will the Hon'ble Home Minister tell us as to how many of these political and Regulation III prisoners the Government of India claim to be consulted about? And why these prisoners are not made exclusively the concern of

the Government of India? Sir, it is a sorry business altogether. Step by step, the Bengal Ministry is shirking its own responsibility and tamely submitting to dictation from the Centre.

Sir, we want to know from the Hon'ble Home Minister whether the Governor is assuming any special responsibility under section 52(*a*) or 57(*1*) of the Government of India Act, 1935, with regard to any of the political security prisoners or prisoners under Regulation III of 1818. If so what is their number?

I maintain, Sir, the Home Minister as representing the people of Bengal is not playing the game on behalf of the people of Bengal but tamely submitting to the dictates of the police and giving away the prisoners to the sole jurisdiction of the Governor or to the Home Member of the Government of India, while a spirited popular Home Minister would have declined to do so even at the risk of his office. And so it is that against these unfortunate prisoners, we hear the Home Minister echoing his Master's voice using expression such as "subversive organisations", "likely to organize sabotage", "trying to assist the Japanese" and so on and so forth.

Sir, what does the Hon'ble Minister mean by the slogan "subversive organisations"? Moslem League stands for independence. It does not believe in non-violence. Is Moslem League a subversive organisation? Take for instance, the Congress. Congress stands for non-violence and truth and works for independence which is its goal. Even so is the Krishak Proja Party or the Hindu Mahasabha. These are all constitutional bodies. Would membership of any of these bodies entail any one to be branded as belonging to a subversive organisation? If not, as most certainly the answer must be in the negative, what other organisations does the Hon'ble Minister mean by the expression "subversive organisation"? Does he mean the terrorist organisations? Where are they? Sir, they are dead as the Dodo of Madagascar. Public opinion stifled them years ago. There is no such organisation now. I maintain, Sir, the expression is glibly used as a slogan to stifle what little freedom people might enjoy and to confine those whom the bureaucrats consider as undesirable persons.

Sir, while on this point, let me point out that the Hon'ble the Home Member of the Government of India, Sir Francis Mudie went a step further than the Hon'ble the Home Minister and compared the Bengal detainees with the Hurs of Sindh and called them terrorists. Sir, no comparison could be further from the truth. He even challenged the Central Legislative Assembly if it would censure the Government for not releasing them. The Opposition rose to the height of the occasion and passed the censure motion of Mr. Abdul Quayum who concentrated his attack on the two sins of the Government, namely, the bombing operations in the tribal areas and the continued detention of hundreds of Congressmen. But what surprised me most was the assertion by Sir Francis that the Bengal Government would take very strong objection to being asked to release them. Is it so, Sir Nazimuddin, is to so?

Sir, according to the Home Minister there are about 50 alleged saboteurs among the prisoners. All persons of all other provinces in India alleged to be saboteurs have by this time been set free *en masse* by their respective Governments. But if the Bengal Government would not set them free for which I think there is absolutely no justification now, why do they not release the rest? Sir, we know the cry they now raise is "War release the rest? Sir, we know the cry they now raise is "War emergency".

Sir, the Japs are on the run closely followed by the Allied Army. Allies have practically won the war. Mandalay, the ancient capital of Burma, has fallen to the Indian arms and the Indian Army is now 300 miles east of the Indo-Burma Border. There is now not the remotest chance of

invasion of India. Yet, Sir, the security political prisoners are rotting in *duress vile*. Sir, the Government urges "Necessity". Necessity, Sir, is the tyrant's plea.

Sir, 550 of the security prisoners have been released so far. Since then, I ask, has any untoward incident happened? None whatsoever. Nothing untoward will happen if the rest will come out. Sir, politically there is absolute calm now prevailing in the country—peace of the grave! Nothing can ruffle it. There was famine in 1943 followed by epidemics which have carried away lakhs of people. There is now the cloth famine. There was no riot, no rebellion. In any other country, these would have led to revolution. But East is East and West is West. This nation if half-dead. You cannot lash a dead horse to life. I maintain, Sir, there is absolutely no danger in setting free the political prisoners who by virtue of their education, character, and selfless devotion to the cause of the country have proved to be the flowers in our society. In the economic crisis through which the country is now passing, we need their help, their presence in our midst.

Sir, the Government is proving vindictive. There are many among the political prisoners who served out their terms of imprisonment but were re-arrested and taken back as detainees from the jail gate. They ought to have been given a chance to settle down and to prove that they were useful citizens. Among the prisoners, there are many again whom the Government released on the recommendations of the Advisory Committee which was appointed by the Government. They were leading peaceful lives and proving themselves good citizens and yet they were seized and taken back to prison. Even the females were not spared, for example, Miss Bina Das Gupta, Ujjala Muzumdar and others.

Sir, the behaviour of the Government towards the lady prisoners again has also been extraordinary. Of the 19 lady prisoners, 13 are ailing more or less severely. They are:—

(1) Miss Kamala Das Gupta, (2) Miss Leela Roy, (3) Miss Kiran Chakraverty, (4) Miss Prova Mazumdar, (5) Miss Banalata Sen, (6) Miss Helena Dutta, (7) Miss Saila Bala Sen, (8) Miss Chaya Guha, (9) Miss Santi Sudha Roy Choudhuri, (10) Miss Asha Roy, (11) Miss Suhashini Ganguly, (12) Mrs. Uma Guha, and (13) Mrs. Labayana Prova Das Gupta;

I will not mention the details of each case. I will however mention the case of Miss Kamala Das Gupta as typical of others. She is suffering from T. B. Government would like her to undergo operation on the spinal bone—a risky one involving danger to life. She declined. She was, however, agreeable to plastering. In her petition to the Government, she stated that it would be no good to her health if she were to be lying lonely in the jail plastered which is boresome without home comforts. Would it be believed, Sir, that even this her most reasonable prayer was refused? On the grounds of ill-health all the thirteen lady prisoners ought to be released without delay. But, Sir, the Government is adamant. This is one picture to the east of the Suez. Look to the other in the west of the Suez. Sir Oswald Mosley, the leader of the British Fascists, and a pro-German to boot, was released by the British Government at a time when it was in deadly grip with the Germans. Heavens did not fall. He was released on grounds of illness which was nothing compared to what the lady prisoners are suffering from in the Bengal jails. Here, however, our Home Minister without the least perturbation of heart would support the policy of their continued detention. But I ask, who is that fool who would believe that their release would jeopardise in any way the defence of India.

Sir, the war broke out in September, 1939. It is the sixth year of the war. Most of these political prisoners have been long in the jail without the semblance of any trial whatsoever. Try them if you like or release them. This is the only honest and straightforward course.

Sir, most of these political prisoners are the bread winners of their families. In these days of hardships and high prices of commodities, the maintenance allowance of most of them and their families have been ridiculously low. The sufferings of the dependents of the prisoners know no bounds. These prisoners if released can yet come to the rescue of their families and dependents. No amount of comfortable arrangements in jail can counterbalance the loss of freedom or the opportunities to serve their dependents or the country. Sir, our difficulty is with Sir Nazimuddin, a gentleman of uncommon courtesy. He has been throughout his life a child of Fortune and the Prize-boy of the Bureaucrats. He has not pushed his way to the eminence he is in through suffering. He never knows what a jail life is like by his own experience. The utmost that he can offer is imaginative sympathy and even this cannot be deep enough. If Pakisthanis would have been in jail in similar circumstances in as large numbers, I dare say, Sir Nazimuddin as the head of a great communal organisation would have fought like a lion for their release and failing that would have resigned his place as the Chief Minister of Bengal. Why does he not adopt this course in relation to the political prisoners most of whom are non-Muslims and become the leader not merely of the Muslims but also of the Hindus and thus become the undisputed leader of whole Bengal! Has he no such aspiration? Sir, I pause for a reply.

Mr. DEPUTY PRESIDENT: Resolution moved: That this Council is of opinion that all security political prisoners taken under the Defence of India Rules and Act or under Regulation III be set free without any further delay.

Mr. NAGENDRA NATH MOHOLANABISH: Mr. Deputy President, Sir, I beg to support the resolution which has been moved by my friend Mr. Lalit Chandra Das. The resolution urges that there should be an immediate release of political and security prisoners. It is well known that these political and security prisoners have long been in jail and that at the time when this Ministry was formed the Hon'ble the Chief Minister declared, and with this declaration the two Hindu Ministers Messrs. Goswami and Pain agreed, that they would see to it that the political prisoners were released within the next six months. Sir, more than a year has elapsed since then and though some of the political and security prisoners have been released in driblets, still there is a large number of such prisoners in custody and there is absolutely no indication from the Ministry that they are going to release them in the near future. The excuses which are put forward from time to time are that it is not in the interest of public safety that they should be released. The reasons for their detention are really not known to us or to the public at large. But there are many in this Council and outside this Council who know perhaps almost all of these gentlemen and the leaders who have been incarcerated. We know that the only fault of theirs is that they love their country, the only fault of theirs is that they believe in certain ideals—ideals which urge them to work for the independence of their country. It is known to all that those who belong to the Congress are pledged to non-violence and therefore though they pursue their policy of educating the public, of doing all sorts of work for the uplift of the masses of the people and for securing the independence of the country, yet they did not, nor did they intend to do anything which under the law of the land can be called criminal. They have been acting against the fascist idea, against the idea of Nazism and it is well known to Government that they really did not do anything which would deserve such long incarceration. Whatever might have been the position at the beginning of the war, at the time when the war was at our very door, when there was an invasion or a token invasion of India, whatever might have been the position at the time when the fortunes of war were favouring the enemy, yet it must be admitted on all hands that the situation now has changed for the better. Now, Sir, there is absolutely

no danger on that score and still we find that the ministry are not doing anything which they could have done in accordance with their promise at the time when they took up office.

It is suggested by many and it is also stated seriously by many that there are reasons, personal interest for instance, which induce the Ministers to keep a large number of these prisoners in jail, including some of the members of the Legislature. If that is really the idea behind it—and it seems to me that there is ample justification for that belief—it is indeed a very bad policy, because the members of the Legislature whom the Hon'ble Home Minister personally knows, are certainly above all suspicion so far as the subversive movement is concerned and therefore if Government release those gentlemen, the members of the other House, they can at once find out whether the release of the political prisoners would or would not affect the peace of the country. It is well known that in the provinces where Section 93 is in operation, the Governor in his discretion is releasing many of those prisoners who were taken into custody in connection with the August, 1942, incidents. It is quite clear that that incident happened after the wholesale arrest of the Congressmen, and that incident was not due to any movement that was started by the Congress. Those arrests were made merely on the ground that that memorable A.I.C.C. resolution was passed. Now, Sir, whether that wholesale arrest was justified or not, I am not really going to discuss but the facts remain that the Congress was not responsible for the activities of the masses that followed the arrest of their revered leaders. I believe when the Central Government have thought it fit to release Mr. Gandhi and other leaders they really appreciated the point of view that was put forward in the country that the Congress or the leaders were not responsible for the upheaval. That principle having been accepted since then, many leaders, many national workers, have been released. But unfortunately in this province the release has been most disappointing. We have been questioning the Hon'ble Minister from time to time about individual detenus—about individual prisoners, but the answer always came that the time has not yet come for their release. We do not know when the time will come. We do not known when this Ministry is going to release these persons whom they promised to release when they came to office. If really the members of the Congress do belong to a subversive movement, I submit Government—I mean the Ministry—is also with them. Some of them belong to that camp, I refer to Hon'ble Mr. Pain and Mr. Goswami. Why do they associate with them? I submit, I am not going to make any difference between these two members of the party and the others. You may equally say the same thing about your colleagues whom you want today by your side in the Cabinet and those whom you want to unlawfully detain. We have never seen a large number of men detained without trial for such a length of time. Sir, we are not pleading for those who have been tried and convicted in a court of law for breaking the law of the country: we are only pleading for those who have been arrested and detained on suspicion. You have detained those persons because you suspect that if those people are released they might do harm to the country or to the war effort. On that suspicion you can arrest and detain men for some time, for some days, for some weeks or even for some months; but year after year has rolled by and you do not seem to be at all anxious to consider their case and to release them. We do not know who advises you to detain them indefinitely, but I may tell you that you can easily take a chance, you can easily make an experiment by releasing those gentlemen who are as honest men as the honourable members of this House. I would therefore suggest, Sir, that this is a case which is most painful for all of us and for the country, and it does not do any credit to Government to keep or detain such a large number of men of position, of light and leading in detention without any trial for such a long time.

With these words, I whole-heartedly commend this resolution to the acceptance of the House.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, in view of the fact that the debate on this resolution will not be over today and also in view of the fact that we have another non-official day, I suggest that we may adjourn now and those honourable members who have not yet spoken may speak on the next day when I shall be able to reply to them. I may also suggest that instead of sitting tomorrow we may sit on Thursday and Friday next to discuss non-official business.

Mr. KAMINI KUMAR DUTTA: Sir, I shall probably be not in Calcutta on Thursday next; so I may speak now and I shall be very brief.

Mr. HUMAYUN KABIR: Sir, may I submit through you to the Chief Minister one thing? If I understood him aright, he said that we won't sit tomorrow. In that case, would it be possible to take up this business and tomorrow's business on the next Thursday and Friday? If the Chief Minister has no objection, this would be more convenient to many members of this House.

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no objection.

Mr. KAMINI KUMAR DUTTA: Sir, the demand embodied in this resolution of Mr. Lalit Chandra Das is being repeated so often that in discussing this problem we have a hesitancy in our mind as to whether this demand will be heeded to at all. However, this is a demand which the country has a right to make, whether it is heeded to or not. The country will not hesitate to repeat the demand. Sir, this is not a demand for release of persons who have been found guilty on trial in open court and on the evidence against them being tested. On the other hand, it is a demand for the release of persons who have been taken in custody and who have been deprived of their liberty, simply on the surmise that their liberty will jeopardise the security of the country. Really, this action is almost analogous to the detention of persons in the concentration camps in Europe. We have heard of concentration camps in Germany, and not only in Germany but also in Russia. But there is a difference between the principle underlying the concentration camps of those countries and the policy on which persons are deprived of their liberty here in this country. There I find that only persons who hold views different from the accepted views of the party in power are kept in the concentration camps, so that their activities may not land the country into peril. But here, as a matter of fact, we find that persons who are kept in detention camps as security prisoners or who are deprived of their liberty for an indefinite period are persons against whom there is only allegation of covert action from which no kind of inference can be drawn that their liberty is really a peril to the interest of the country.

It is said very often that the evidence against such prisoners is put before some sort of a tribunal. But we know that these tribunals only test the evidence *ex parte;* and moreover the evidence and the allegations against such persons of a very general and indefinite character. We have received reports to the effect that the charges which are formulated against them are of a very nebulous character. The charges are never based on specific facts, and they are of such vague and indefinite character that you can net in any individual you like. A man is deprived of his liberty simply because he happens to belong to a particular group of workers or persons who hold certain political views; and because he happens to hold certain political views, his presence outside the prison is considered hazardous to the interests of the country. So the very principle on which these security prisoners have been kept in prison is one which must be condemned. The very basic principle underlying such detention is wrong. If you really do think that these persons are persons who are engaged in activities which would imperil the country, put them to trial at once; and by means of the emergency laws which are in force in

the country now, it is very easy for you to prove your case. Therefore, we do not see any necessity for keeping so many persons in prisons without giving them an opportunity to answer the charges against them openly before a Tribunal. I confess that exigencies may arise in which it may be found necessary to keep in temporary custody persons whose liberty may be thought to be perilous to the best interest of the country; but that depends on the situation that exists at a particular moment. A man who might have been thought dangerous six months back may be thought quite inoccuous and safe today. The situation is changing very quickly and for the better and with this change in the situation the standpoint of Government, the outlook of the ministry also ought to change: and with this change in the situation the whole basic principle to be pursued regarding the further detention of prisoners should be revised. The situation which governed their detention and which required their detention a year back does not exist now and I should therefore say that the present situation in the country requires a thorough revision of the basic principle underlying the detention of people without trial. We often find that the excuse is put forward that this ministry cannot release these prisoners without the authority of the Centre. Sir, only the other day we heard persons in authority in the Centre to say that the release of political prisoners, the responsibility for that, rests with the provinces. It is for them to judge as to whom to release and whom to keep in custody. So, Sir, the excuse of shifting the responsibility on the shoulders of the Centre is not a *bona fide* one. Some say that the responsibility is the province's, while the provinces on their part try to shift the responsibility on the Centre; but when the Centre has openly announced that the responsibility is with the provinces, then the country will demand from those who are at the helm of the administration of this province that they should take courage in both hands and revise the basic principle underlying the detention of political prisoners and release the prisoners. Circumstanced as we are, the country requires the patriotic services of her sons. It cannot be gainsaid that those persons who have been detained behind the prison bars are good patriots. We may not agree with their political ideals, but they are the sons of the country and the country requires their services to the full at the present moment. The country is at present in the hands of bribe-takers, corruptors and profiteers. The country requires the public opinion to be mobilised against these anti-social elements. The country requires their services to counteract the present corruption and profiteering. These anti-social activities of black-marketeers and profiteers cannot be allowed to continue. For the purpose of wiping out the demoralising condition which prevails at present in this province, it is very necessary that these patriotic sons and daughters of the country should be released forthwith. And the country demands that the ministry should take courage in both hands to release them.

Mr. DEPUTY PRESIDENT: Order, order. May I take it that it is the desire of the House that we rise earlier today and that there will be no sitting tomorrow, and that the adjournment motion which was tabled for Monday next will be taken up on Wednesday next at 1-30 p.m. and that Thursday and Friday next week will be days for non-official business?

Mr. KAMINI KUMAR DUTTA and Mr. LALIT CHANDRA DAS: Yes, Sir.

Mr. DEPUTY PRESIDENT: The House stands adjourned till 1-30 p.m. on Wednesday next.

Adjournment.

The Council then adjourned till 1-30 p.m. on Wednesday, the 21st March, 1945.

Members Absent.

The following members were absent from the meeting held on the 15th March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. S. Ahmed.
(3) Khan Bahadur N. Amin.
(4) Mr. K. Baksh.
(5) Rai Bahadur K. C. Banerjee.
(6) Khan Bahadur Abdul Gofran.
(7) Mr. M. R. Jaipuria.
(8) Maulana Mohd. Akrum Khan.
(9) Mr. N. N. Mookerjee.
(10) Mr. R. S. Purssell.
(11) Khan Bahadur M. Rahman.
(12) Dr. K. S. Ray.
(13) Mr. S. N. Sanyal.
(14) Mr. Yakub H. S. Sattar.
(15) The Hon'ble Sir B. P. Singh Roy.

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BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 18.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 21st March, 1945, at 1-30 p.m., being the eighteenth day of the First Session of 1945, pursuant to Section 62(2) (*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Oath.

Mr. T. B. Nimmo took the oath of office.

Felicitations to the Hon'ble President on his return from England.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, with your permission, I should like to offer on my behalf and on behalf of the House our sincere greetings on your safe return home after strenuous work in Great Britain in these dangerous times. Sir, you were called away rather suddenly and we did not know before you had already left. We all wished you well and we are so glad to get you back in our midst.

Mr. PRESIDENT: I am extremely grateful to the Hon'ble the Leader of the House and the honourable members for the sentiments expressed by the Hon'ble the Leader of the House. I believe we had a very useful conference where the points of view of India were very fully urged and I hope something tangible will come out of it.

Adjournment Motion.

Mr. PRESIDENT: Now the House will take up the adjournment motion standing in the name of Rai Bahadur Keshab Chandra Banerjee. Yes, Rai Bahadur.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, may I speak over the microphone?

Sir, I beg to move:

> "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, nepotism and distribution of patronage among members of the Legislature and near relatives of the Ministers by the appointment of Syed Abdul Salim, M.L.A., Chairman, District Board, Dacca, as the sole handling Agent for yarn and cloth of finer counts for the Sadar subdivision of the Dacca district, including the city of Dacca, by the granting of a special textile license to him for carrying on business in the above two commodities to the utter detriment of the trade and the interests of the consuming public."

I regret to have to birng forward this adjournment motion for it calls into question the integrity of some of my colleagues in public life, particularly the Hon'ble Khwaja Sir Nazimuddin, the Hon'ble Mr. Shahabuddin and Syed Abdul Salim with whom I had the privilege to work in the Municipality and the District Board of Dacca for many years. But, Sir, necessity knows no law. I am impelled by a sense of public duty to expose the extent to which favouritism, corruption, and jobbery are now prevailing in all branches of the provincial administration. Not only Government

officers, but also the Ministers and their Parliamentary Secretaries under the present *regime* have been taking full advantage of their power and position and adopting questionable tactics for securing their personal ends. The record of public service of Sir Nazimuddin which should be stainless has been soiled by the foul company of some of his relations and advisers.

The motion which I have been called upon to move raises a very import- and question of principle, namely, whether the Ministry are justified in favouring and patronising their own relatives and supporters at the expense of more deserving persons in the matter of distribution of contracts and appointment to various posts in the gift of the Government. Sir, our experience of the past few years since the present Ministry has come into power has been very sad indeed in this respect. Judging from their action, the Ministry seems bent upon securing their personal gain at the sacrifice of public interest. There can be no better proof of nepotism, selfishness and unjustifiable patronage than that furnished by the appointment of Syed Abdul Salim, M.L.A., a cousin of the Khwaja brothers—the twin Ministers of the Bengal Government—as the sole handling Agent for yarn and cloths of finer counts for the Sadar subdivision of the Dacca district including the city of Dacca. In this connection, I would like to inform the House that Government passed an order sometime before the Pujas prohibiting the issue of any new textile licence to anybody, however convincing the grounds might be, unless the candidate had done business during what was termed as the basic period, namely, 1940-41, 1941-42 and 1942-43. But it is surprising that in spite of this definite order Mr. Salim managed to take out a special textile licence in January last, although no such licence was issued to any other person after October, 1944, in compliance with the Government instructions. Now, Sir, it passes my comprehension as to why an exception was made in Mr. Salim's case. He has no experience of textile trade nor has the family to which he belongs any business tradition. It is understood that he received recently a consignment of 39 bales of fine cloth, but enquiries go to show that it was never placed on the market. Where has all this cloth gone, then? Would the Hon'ble Mr. Suhrawardy mention the source from which Mr. Salim obtained the supply and the names of the dealers to whom this cloth was given? Sir, if the Hon'ble the Civil Supplies Minister fails to give a satisfactory answer, the natural conclusion will be that the cloth was sold in the black market.

Sir, I do not grudge Mr. Salim's extra earnings; nor do I grudge any of the Hon'ble Ministers augmenting his income; but there should be no shady transactions of any kind which would jeopardise the country's interests and tarnish the fair name of Bengal. Sir, this is not all. The House will perhaps be interested to hear more about favouritism and unjustifiable patronage which has been extended to the Hon'ble the Chief Minister's own kith and kin, as well as the adherents and supporters of the present Ministry. I congratulate Mr. Salim on his achievements and on being able to secure for his wife, Sufia Khatoon, a contract for the construction of boats. Similar contracts, I understand, have been given to the wives of two other Khwajas of Ashan Manzil. Sir, this is a performance of the ministry which needs no comment. I shall now mention the names of some more fortunate members of the Dacca Nawab family and M.L.A.'s who have either been given appointments to various services under Government control or been helped in securing contracts.

The Hon'ble Mr. H. S. SUHRAWARDY: May I rise on a point of order? This matter deals with the question of giving Mr. Salim certain agencies to which I am prepared to reply, as far as the matter deals with my department .

Mr. PRESIDENT: Rai Bahadur is referring to the general question, I am afraid.

The Hon'ble Mr. H. S. SUHRAWARDY: Not only to the general question, Sir, but also to matters which do not relate to my department at all. I submit, therefore, the honourable member should be asked to confine himself to the subject-matter of the Adjournment Motion, so that I can give a proper reply to it.

Mr. PRESIDENT: I think, Rai Bahadur, you should confine yourself to the subject-matter of the adjournment motion and should not introduce extraneous matters.

Rai Bahadur KESHAB CHANDRA BANERJEE: I have no desire to introduce extraneous matters, Sir; but I submit that the motion is a very wide one: it deals not only with the textile licence granted to Mr. Salim but also the distribution of patronage among members of the legislature and near relatives of the Ministers. Mr. Salim's case is one of the many instances of such patronage. It is not possible, Sir, to incorporate in the body of the motion itself the names of all the persons who have been unduly and dishonestly favoured. I will make more startling disclosures if my friend will hold his soul in patience.

Mr. PRESIDENT: Your motion is very definite and it deals only with——

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I submit that the matter is very definite, namely, nepotism and distribution of patronage among members of the legislature and near relatives of Ministers by the appointment of Mr. Salim. The Hon'ble member cannot go on in this way raising questions regarding the distribution of contracts generally and this that and other things.

Mr. PRESIDENT: Rai Bahadur, it must be a definite matter of urgent public importance as you know, and that point was fully considered when your Adjournment Motion was admitted. The question raised by you here is the abuse of power by the present Ministry and distribution of patronage among members of the legislature and near relatives of the Ministers by the appointment of Mr. Salim, M.L.A. That is a specific point; so please try to confine yourself to that point.

Mr. LALIT CHANDRA DAS: Sir, may I point out one fact? The Adjournment Motion raises a question where it has been definitely pointed out that there has been distribution of favour amongst the near relatives of the Ministers concerned, and as an example only one instance, namely, that of granting a textile licence to Mr. Salim, has been mentioned. If that was not the object, then what is the necessity of using the expression "nepotism and distribution of patronage among members of the legislature and near relatives of the Ministers" etc. The only meaning conveyed by this expression is the distribution of patronage among the near relatives of the Ministers concerned as exemplified by the appointment of Mr. Salim as the sole handling agent for yarn and fine cloths, etc.

Mr. PRESIDENT: Don't you see, Mr. Das, the point that it is not possible for the Hon'ble Minister in charge of the Civil Supplies Department to reply to general allegations? He can reply to a specific question only and if other matters are raised, they go outside the purview of his department altogether.

The Hon'ble Mr. H. S. SUHRAWARDY: As to the point raised by Mr. Das, Sir, I think that had the motion been as vague or as general as Mr. Das wishes it to be worded, then I am perfectly certain that it would have been disallowed either by the Chair. This motion only raises a specific matter of urgent public importance and an honourable member cannot make a vague charge such as this in an Adjournment Motion of this type.

Mr. LALIT CHANDRA DAS: May I make a submission? In this connection, may I draw your attention to the words "distribution of patronage among members of the legislature and near relatives of the Ministers——

Mr. PRESIDENT: Rai Bahadur, please confine yourself to the specific point mentioned in the Adjournment Motion.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, Mr. Lalit Chandra Das has made the position very clear. I have referred to Mr. Salim's case as an example of the abuse of power by the present Ministry. There are several instances of such abuse of power which I am perfectly at liberty to mention in connection with this Motion. I do not think I am irrelevant. I am not speaking on any subject which is not envisaged in the Adjournment Motion.

Mr. PRESIDENT: It was in connection with the appointment of Mr. Salim.

Rai Bahadur KESHAB CHANDRA BANERJEE: Yes, Mr. Salim's appointment, as I have said, is one of the glaring instances of nepotism. Then, Sir, as I was going to say, would the Hon'ble Minister kindly let us know from where did Mr. Salim get the supply, as also the names of the dealers to whom this cloth was given? If the Hon'ble the Civil Supplies Minister fails to give a satisfactory answer, the presumption will be that the cloth was sold in the black market. Sir, I shall repeat what I have already said. I do not grudge any honest attempt on the part of any Hon'ble Minister to increase his income; but no questionable tactics should be adopted to further his self-interest. That is what I object to. I propose now to cite a few more concrete instances of contracts and appointments given to persons who do not deserve any favour, judged by the sole test of merit.

Mr. PRESIDENT: Rai Bahadur, you had better leave out those other contracts and confine yourself to the Motion.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, am I not entitled to mention the names of the other members of the Dacca Nawab family who have been shown special favour in the matter of contracts and appointments?

Mr. PRESIDENT: I think you should make out specific points and not make a general allegation.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, I do not wish to make vague allegations. I will state the facts that are in my possession. These will show unmistakably the extent to which favouritism is rampant in the administration of the Province. I would add in this connection that Mr. Salim is interested in the Star Engineering Company of Faridpur. As proprietor of this newly-established Firm and also as a partner of another Firm, entitled the Faridpur Engineering Company, Mr. Salim and another M.L.A. have secured contracts for the construction of boats to the tune of 5 to 6 lakhs of rupees. Sir, similar contracts, it is understood, have been secured in the names of the wives of Khwaja Shahabuddin and Nawabzada Khwaja Nasarullah, Minister and Parliamentary Secretary respectively, to the Government of Bengal——

Mr. PRESIDENT: Rai Bahadur, you should look at the text of the Adjournment Motion. The Motion runs as follows:—"* * nepotism and distribution of patronage among members of the Legislature and near relatives of the Ministers by the appointment of Syed Abdul Salim, Chairman, District Board, Dacca, as the sole handling agent for yarn and cloths of finer counts for the Sadar Subdivision" etc., etc. So the real point for discussion should be the appointment of Mr. Salim——

Mr. SHRISH CHANDRA CHAKRAVERTI: No, Sir; nepotism and patronage in general and the appointment of Mr. Salim in particular.

Rai Bahadur KESHAB CHANDRA BANERJEE: That seems to be the correct interpretation. It is unfortunate that the Chair should try to throttle the discussion of a subject which is of vital importance to the people of this province. What I want to point out is that not only Mr. Salim but a large number of other members of the Dacca Nawab family has been unduly favoured by the distribution of contracts and loaves and fishes of office under the Government. This is a matter of first-rate public importance and no body can deny it.

Now, Sir, the distribution of loaves and fishes was made in this way:—

(1) Nawabzada Khwaja Ahsanullah, a cousin of Sir Nazimuddin, was appointed Assistant Controller of Jute Regulation on a pay of Rs. 500 per month and after serving for two years, it is alleged, he had to resign on a charge of defalcation. He is a non-Matric and yet he was found suitable for the post in preference to candidates possessing infinitely superior qualifications.

(2) K. M. Azad, son of the late Nawabzada K. Atikullah, and brother-in-law of the Hon'ble Mr. K. Shahabuddin, has been appointed Deputy Labour Commissioner, Bengal, and selected for Overseas training on a Government scholarship of Rs. 60,000.

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. (Mr. HARIDAS MAJUMDAR: Do not yield.) Whether he yields or not, I must say, Sir, that the honourable member is bringing all these things on record and he is making allegations against an officer who is not present here. The allegation made by the honourable member is entirely false. There is no charge of defalcation against that officer. He has not resigned at all.

Mr. PRESIDENT: My reading of the Motion is this that Mr. Salim's appointment is the specific question that you propose to raise. You need not refer to the other near relatives of the Ministers.

Mr. LALIT CHANDRA DAS: Sir, may I point out that the Motion relates to nepotism and distribution of patronage among the members of the Legislature and the near relatives of the Ministers. As an instance of favouritism, he has cited the appointment of Mr. Salim.

The Hon'ble Mr. H. S. SUHRAWARDY: If the Motion had been worded in the way suggested now, it would not have been admitted at all.

Mr. PRESIDENT: The real point that the Rai Bahadur wants to raise in this Motion arises out of the appointment of Mr. Salim as the sole handling agent. But I must say that the wording is not very happy.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, I would have perhaps been out of order, if I had not mentioned the relationship of the Ministers with the persons appointed in the various branches of administration.

Now, Sir, as I was saying, Mr. K. M. Azad is proceeding to England for training at Government expense.

(3) Khwaja Mainuddin, son of the late Nawabzada K. Atikullah, and second brother-in-law of the Hon'ble Mr. Shahabuddin, has got an appointment in the Fire Section of the Calcutta A.R.P. Department on a monthly salary of Rs. 400. He is also a non-Matric.

(4) Khwaja Bahauddin, son of the late Nawabzada K. Atikullah, the third brother-in-law of the Hon'ble Mr. Shahabuddin, has also been given an appointment in Calcutta. He is another non-Matric member of the Nawab family to get a job through Ministerial influence.

(5) Khwaja Md. Akmal, son of the late Khan Bahadur Nawabzada K. M. Afzal, a near relation of Mr. Shahabuddin, has been appointed Staff Officer under Dacca A. R. P.

(6) Kazi Jalaluddin Akbar, son-in-law of Khan Bahadur Haji Khwaja Md. Ismail, and a near relation of the Chief Minister, has been appointed Second Lieutenant in the Civil Pioneer Force. Qualification—Non-Matric.

(7) K. M. Naser, son of Khan Sahib K. Nuruddin of Ahsun Manzil, a close relation of Mr. Shahabuddin, has been given the post of Staff Officer, Messenger Service, Dacca A.R.P.

(8) Mr. Nabi Buksh, son-in-law of the late Khan Bahadur Nawabzada K. M. Afzal of the Dacca Nawab family, was appointed Chief Inspector, Jute Regulation, Dacca. Now he has been serving as District Development Officer at Dacca. Educational qualification—Non-Matric.

(9) K. Sadaruddin, son of Nawabzadi Pari Banoo Khanum, cousin of Khwaja Sir Nazimuddin, has been given a job under the Civil Supplies Department at Calcutta. Formerly, he was in the Jute Regulation Department.

(10) Syed Asak Hossain of Ahsun Manzil, a co-sharer of Dacca Nawab Estate, and nephew of Mr. Salim, has been appointed Publicity Officer, Dacca, North Sadar subdivision, with headquarters at Ahsun Manzil in Dacca City. He is innocent of the Bengali language and yet he has been thought fit for publicity work in rural areas! There were many graduates among the candidates but their claims were superseded.

(11) Md. Yusuff Jan, again a member of that great family, has been appointed Inspector, Civil Supplies Department, and posted to Dacca.

(12) Mr. Moslem, a non-Matric cousin of Mr. Shahabuddin, has been appointed Superviser, Enforcement Branch, on a salary of Rs. 350 per month and the usual travelling allowance, on strong recommendation from his influential relatives.

(13) Mr. Moslem's son has been appointed Staff Officer under Calcutta A.R.P. on a monthly salary of Rs. 205.

(14) Khwaja Md. Bakht has been given the post of Manager of shops of Cottage Industries under the Industries Department, Government of Bengal, although he has no educational qualifications.

(15) Syed Hyder, nephew of Mr. Salim, has been appointed Superviser of Post-Raid Information Service on a monthly salary of Rs. 150.

(16) Maulvi Majibar Rahman, brother of the Government Chief Whip Mr. Fazlur Rahman, has been appointed District Publicity Officer on a salary of Rs. 200 per month plus travelling and other allowances.

The following have been given contracts for boat reconstruction—all of them belonging to the Dacca Nawab family:—

(1) Jahanara Begum, wife of Nawabzada K. Nasarullah and sister of Mr. S. A. Salim.

(2) Nawabzada Ahsanullah, cousin of Mr. Shahabuddin.

(3) Mr. Salim, an M.L.A.

(4) Mr. Ahmed Reza, nephew of Mr. S. A. Salim.

(5) Syed Saheb Alam, M.L.A., brother of Mr. Salim.

(6) Nawabzada Hafizullah, cousin of Mr. Salim.

(7) Khwaja Ashraf, cousin of Mr. Shahabuddin.

(8) Khwaja Peara Ladla, nephew (sister's son) of Mr. Shahabuddin.

(9) Mr. Shahabuddin and another high Government official have also secured contracts jointly in the name of a Company which has been named, "The Ganges Boat Building Co.".

Contracts for other construction works.

(1) Mr. S. A. Salim and our esteemed colleague Mr. Hamidul Huq Chowdhury, M.L.C., whom I do not find here at the present moment, have secured contracts in the name of "The Bengal Construction Co." and

(2) Mr. S. A. Salim and Mrs. Shahabuddin in the name of the Shalimar Engineering Co., of which the Hon'ble the Civil Supplies Minister and another M.L.C. are also reported to be partners——

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I want to tell the House here and now that this kind of insinuation does not pay, because I have got a tongue in my cheek by using which I cay say that it is a dammed lie.

Mr. PRESIDENT: You will have an opportunity of replying to the points concerning your Department.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, the Hon'ble Minister should withdraw the words "damned lie". The expression is unparliamentary. He might have used Mr. Churchill's words "terminological inexactitude". He should be more polite in his utterances.

Mr. PRESIDENT: It is rather unfortunate.

Mr. SHRISH CHANDRA CHAKRAVERTI: He should withdraw the word, Sir. Should he not do so?

The Hn'ble Khwaja Sir NAZIMUDDIN: Sir, it seems that the honourable member does not object to be called a liar if it be through the expression "terminological inexactitude".

Mr. PRESIDENT: Mr. Suhrawardy will kindly withdraw the word.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, it has now become a habit with the Opposition most easily to throw aspersions on the Ministers. They may think that it is a grand fun; but I do not take it to be so. I think that the mud that is thrown at us in this way sticks to us. Therefore, I will not allow this mud to be thrown at us in this irresponsible fashion and to let it pass unchallenged without a disclaimer being uttered here and now that they are lies, I am prepared——

Mr. BANKIM CHANDRA MUKHERJEE: Sir, is it in order for an Hon'ble Minister who has been asked to withdraw a word to make a statement of this kind?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am quite prepared not to use any strong word; but I want your protection.

Mr. PRESIDENT: I may point out one thing: it adds neither to the dignity of this House nor to the level of the debate if such expressions are exchanged between the members of the Opposition and members of the Government. It is much better, therefore, that the honourable members should use only parliamentary expressions.

Mr. SHRISH CHANDRA CHAKRAVERTI: But Mr. Suhrawardy has not withdrawn the word, Sir.

Mr. PRESIDENT: I have advised him to do so.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, a bird whispers into my ears that a large sum of money has been deposited with the City Bank of New York, an American concern, by Mr. Shahabuddin in his own name as well as in the name of his wife and sons. It is also reported that Mr. Shahabuddin, Mr. Suhrawardy, and Rai Bahadur R. P. Saha of Tangail have jointly purchased the assets of Messrs. M. David & Co., the well-known jute firm of Narayanganj, for Rs. 65 lakhs.

The Hon'ble Mr. H. S. SUHRAWARDY: Will you permit the honourable member to go on insinuating in this way, Sir?

Mr. LALIT CHANDRA DAS: Sir, can the Hon'ble Minister go on interjecting in this way and say that certain statements are a "damned lie"!

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, how does this statement which is a damned lie come within the purview of this Motion, namely that of nepotism and distribution of patronage among the members of the legislature and near relatives of the Ministers?

Mr. PRESIDENT: I have pointed out that the Rai Bahadur should confine himself to the text of the resolution. Please go on, Rai Bahadur but you should leave out extraneous matters.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, much valuable time has been wasted by unnecessary interruptions by the Civil Supplies Minister. I should be allowed to finish my speech. Another report is in circulation that the Hon'ble Mr. Sahabuddin has purchased his residential house, No. 52, Syed Ameer Ali Avenue, for Rs. 48,000.

Sir, almost all the members of the Coalition Party have been the recipients of favour in some form or other. Either they have been given contracts or their relatives have been provided with suitable jobs under Government. So they have got some sort of financial relief——

Mr. PRESIDENT: That is a very general allegation.

Rai Bahadur KESHAB CHANDRA BANERJEE: That is only an observation, Sir, ——financial relief in consideration of their loyal co-operation and support for keeping the Ministry in power. Besides securing contracts either in their own names or in the names of their wives, the Khwaja Sahebs have formed private Limited Companies to carry on business transactions under the protection of the Ministry. Mr. Salim, Khan Bahadur Aulad Hossain, M.L.A., second Vice-Chairman, District Board, Dacca, and Maulvi Shamsul Huda, B.L., a member of the Dacca District Board, have formed a private Limited Company and have succeeded in securing substantial boat contracts (carrying). It may be noted here that Maulvi Shamsul Huda has been allowed to retain his seat in the District Board although he does not attend meetings regularly, being posted to Gopalganj in the district of Faridpur as a Lawyer Magistrate——(Here the member reached time-limit.)

Mr. PRESIDENT: Rai Bahadur, your time is up.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, half of my time has been wasted on account of interruptions from the Government benches. May I have a little more time? I want three minutes more.

Mr. PRESIDENT: You have spoken for half an hour and I am sorry I cannot allow you any more time.

Motion moved: "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, nepotism and distribution of patronage among members of the Legislature and near relatives of the Ministers by the appointment of Syed Abdul Salim, M.L.A., Chairman, District Board, Dacca, as the sole handling agent for yarn and cloths of finer counts for the Sadar subdivision of the Dacca district, including the city of Dacca, and the granting of a special textile license to him for carrying on business in the above two commodities to the utter detriment of the trade and the interests of the consuming public."

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, may I intervene in this debate at this stage to say just a few words? The Minister-in-charge of Civil Supplies will reply to this motion on behalf of the Government. But I must say a few words in reply to certain remarks of the mover of the

motion. I have known Rai Bahadur Keshab Chandra Banerjee as a gentleman for a long time. I am afraid, I will have to revise that opinion. I do not know how anybody can make such a baseless statement. If he has any sense of decency, let him publish the statement made on the floor of this House in the Press and if then he can maintain what he said here today, I will certainly make an apology for revising my opinion; if he has any sense of decency he should make this statement outside and make it publicly. Let him not make untrue statements under the protection of this House and let a chance be given to the persons against whom he made allegations to take action against him.

Mr. BANKIM CHANDRA MUKHERJI: Sir, in rising to support the motion of my friend Rai Bahadur Keshab Chandra Banerji I do not want to indulge in criticising any of the activities of the other departments as disclosed in the statement made by the mover. They are sufficient to condemn the present Ministry. Sir, the cloth problem has become a puzzle and the more we look into it the more we are unable to account for the cloth famine that is discernible now. It is suggested that Bengal has not received a sufficient quota from the Central Government and therefore the present scarcity has become so acute. We are unable to take this as the real cause for the present situation. The statement of Sir Azizul Haque in the Central Assembly makes it clear that Bengal received the quota of cloth. Sir Chadravarkar stated definitely that as against an allotment of 150,000 bales of cloth, Bengal received 179,000 bales—

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir, these things are wholly irrelevant.

Mr. BANKIM CHANDRA MUKHERJEE: We are dealing with the cloth situation and these things are relevant. I do not yield to the Hon'ble Minister.

Mr. PRESIDENT: When a point of order is raised, you must yield.

The Hon'ble Mr. H. S. SUHRAWARDY: The honourable member is reading out a speech relating to the cloth problem of Bengal and the statements that have been made by the Food Member of the Government of India relating to the amount of cloth sent to this province. What possible relevancy is there with the appointment of Mr. Salim as a handling agent of cloth?

Mr. PRESIDENT: Probably Mr. Mukherjee wants to point out that due to this sort of patronage and nepotism there was shortage of cloth in Bengal.

Mr. BANKIM CHANDRA MUKHERJEE: I want to make it clear that the Civil Supplies Minister is unable to account for the quota Bengal received. I have made this statement before and I repeat this charge today and I will go on repeating it until the situation is cleared up. The Hon'ble Minister should know that he is governing this province and he is getting the supply of cloth from the Central Government not for the purpose of giving it to his friends and relations and members of his party who have kept him in office——

Mr. PRESIDENT: Mr. Mukherjee, will you please resume your speech?

Mr. BANKIM CHANDRA MUKHERJEE: All right, Sir. As I was saying, Sir Chandravarkar stated definitely that as against an allotment of 150,000 bales of cloth Bengal received 179,000 bales. He further states that some cloth went out to China and Tibbet and the suggestion is that this cloth must have gone out from the Bengal quota. He further stated that cloth was selling at China at Rs. 10 a yard. We would like the Bengal Government to clarify the situation. We would like to know if Bengal

Government has allotted a single yard of cloth to go out of Bengal for other purposes. If Bengal Government has not directly allowed it, we would like a definite statement as to whether any quantity of cloth has been allowed to go out of Bengal through the black-market. In the district of Dacca the Central Government has been able to find out a clue about a crore and 50 lakhs of Government money which was unaccounted for on account of the Burma refugees fund. If the Bengal Government is unable to help in detecting the black-market of cloth, it would be only because the detectors are themselves the culprits. It would be necessary in that case to take some outside help. It is clear that huge sums of money are being made by selling cloth in the black-market. I would quote only one instance which was brought to my notice by a responsible member of the Lower House. He told me that a fine cloth which was marked at Rs. 10 and odd per pair was purchased by a friend of his at Rs. 55. I would request the honourable members to consider the situation. It is said that along with standard cloth large quantities of fine cloth are also sent along with it and the particular importer knows from some mark in the bale outside that the bale contains finer cloth and he takes particular care of it. Government does not actually supply the standard cloth to the market, simply issues permit to the handling agent and we know how the permits are being dealt with. In this way also a large amount of cloth is going out to the black-market. Sir, in my Budget Speech I mentioned a particular instance when a member of the Lower House received supply of 50 bales in November, 1944. The Hon'ble Mr. Suhrawardy enquired of me as to the name of the honourable member; I gave him the particular name, but I do not know whether he verified it. I would now disclose the name on the floor of this House. This gentleman is no other than the person with regard to whom we are now considering this adjournment motion; it is Mr. Salim, M.L.A. The recommendation went out not from the Hon'ble Minister himself but from the Parliamentary Secretary of the Civil Supplies Department. I hope honourable members of the House will realise that the Parliamentary Secretary would not have the courage to make any recommendation unless specially ordered to do so by the Hon'ble Minister himself. The Hon'ble the Chief Minister promised the other day that he would make a statement on the floor of the House on the statement of Sir Azizul Huq in the Central Government. We have not yet got any statement from him. It may be he is unable to explain or it may be that he has not been able to find time for this very important work for which there is so much public clamour. In the supplementary estimate the Hon'ble the Finance Minister stated that standard cloth of the value of 1 crore 30 lakhs will remain in hand as he will not be able to sell it. Even this statement was criticised by me and I wanted to know where this standard cloth was kept and why the Bengal Government was unable to dispose it of. I would suggest that the Government should immediately disclose the entire stock of cloth, yarn and other kinds of cloth which was received in Bengal from outside and the stock of cloth and yarn which was produced in mills situated within Bengal and also to disclose the names of persons who received permits for them as well as the names of the shop-keepers who received the finer pieces of cloth. We would not mind if this required the engagement of a large staff for a few days or if it required some paper for the purposes of printing statement. I think the Government of Bengal has now got enough staff to prepare this and the Textile Department should immediately place the papers in the hands of an independent body. Sir, I am informed that some papers from the Textile Department are missing. We would like the Government to disclose what are those papers. Why are they missing? The rumour is that the papers are not actually missing but have been kept in safe custody somewhere beyond the reach of ordinary human beings and that they are being utilised for the purpose of tracing the black-marketeers and receiving the share of profit which is due from their dealers. Sir, those are very serious charges, and I hope the Government will consider seriously what

action they should take. To the members of the European bloc I would make a special appeal. Only on Tuesday last it is they who by their support saved the Ministry from defeat on the floor of this House on an adjournment motion regarding the payment of taxes of this House to the Calcutta Corporation. I made it clear in my speech that the Corporation prayed that they might be given a set off against the dues of the Government but it was not done. The European group have a special responsibility and a special duty to perform. It is they with whose help the present Ministry came into being. I am not going to repeat that story on the floor of this House now. We had been under the administration of the present Ministry for more than two years and the Ministry has been kept on purely with the support of the European bloc. The inefficiency and corruptions of the present Ministry have not only been disclosed but the Hon'ble the Finance Minister the other day admitted that they were unable to control the corruption that was going on in various departments of the Government. If knowing all these, the European group support the Ministry I would warn them that the world outside Bengal and outside India will form a bad impression of the part the Europeans are playing in India. I would repeat that the instances of suicide committed by women for want of cloth is a thing which never happened in India before the present crisis and it is a thing which is unheard of in any part of the world. It is a very serious thing. Finally, I would appeal to His Excellency the Governor to take the matter into his personal consideration and exercise his power under the Government of India Act.

Mr. NAGENDRANATH MAHALANOBISH: Mr. President, I wholeheartedly support the motion that has been moved by Rai Bahadur Keshab Chandra Banerjee. But before I deal with the subject-matter of the resolution I would with your permission beg to mention certain facts which, have been brought to our notice owing to the interference of the Hon'ble Minister in charge of the Civil Supplies Department. He rose to points of order and wanted to say that in the discussion of this motion nothing but Mr. Salim's contract was relevant. The Hon'ble Minister is a lawyer and must be well-versed in the Law of Relevancy. So I suggest that he may kindly go through the text of the resolution; if he does so, he would then very easily understand that there was in addition to Mr. Salim's contract, which is the subject-matter of the motion, a general charge of corruption and nepotism. The conduct of the Hon'ble Mr. Suhrawardy and the expression he has used, namely, "damned lie" is, to say the least, unworthy of a Minister, and further when asked to withdraw the word it was unworthy of a Minister to disobey the order of the Chair.

I would like to mention another matter which was also brought before the House by the Hon'ble the Chief Minister. He had not the courtesy or courage to contradict Mr. Banerjea on the points that he has raised but he only challenged him to make outside the House a statement of the nature which he made on the floor of the House. Thus he practically threatened that if such allegations were made outside the House, then other persons whose names were brought in would perhaps start litigation with a view to vindicate their character. Sir, I do not at all appreciate the position taken up by the Chief Minister. Honourable members are entitled in this House to bring to our notice (The Hon'ble Mr. H. S. SUHRAWARDY: Yes, to make aspersions or insinuations, however false.) Yes, any insinuations or aspersions in order to have a clarification, if clarification is possible. If a clarification is not possible, when the facts cannot be controverted, then it is not a case when they should be met with a challenge. If however they were not facts, then only is it that the Ministry may challenge then and contradict them. Here also the Hon'ble the Chief Minister ought to have done that, instead of uttering a vague threat of litigation. That is not the proper way to meet the case. Honourable members of this House have got every right to bring before the House certain allegations which they believe

to be true, information which they believe to be correct; but whether they are true or not it is for the Ministry to say. If an allegation is contradicted by Government, the House can demand an enquiry into that allegation and call upon the Government to produce documents and come before a tribunal to prove their case. Mere abuse or statements that "you are a liar" etc., is no argument. You ought to come before the House with facts and figures and not abuse. This is all that I have to say on this aspect of the matter.

With regard to the resolution before the House, I beg to submit that it is now an open secret in Bengal that corruption is going and that too on a scale which is unprecedented, and the corruption that is going on in the highest scale is in respect of the Civil Supplies Department from top to bottom.

Mr. PRESIDENT: Mr. Mahalanobish, I am afraid, we are not considering the general allegations; please confine yourself to the text of the adjournment motion, as far as possible.

Mr. NAGENDRANATH MAHALANOBISH: As I read the text of the motion, Sir, I think the intention underlying the Rai Bahadur's motion was to refer to the general corruption, nepotism and favouritism of the present Ministry and particularly the case of Mr. Salim has been mentioned. That is how I understand it. (The Hon'ble Mr. H. S. SUHRAWARDY: I do not see the word "corruption" in the adjournment motion.) I think the expressions "nepotism" and "distribution of patronage" convey the same meaning and I would like to know if it is not so according to the Hon'ble Minister. Now, Sir, even if we are to assume that it is limited to the case of Mr. Salim, it is open to the honourable members to discuss the principle underlying this distribution of patronage and it is not confined to the question of Mr. Salim alone. The principle which guide the Ministers and the conduct of the Ministers in taking action would clearly suggest that they are unduly favouring their partymen and their friends and relations and I think the honourable members are entitled to bring forward these things generally in order to point out that the Ministers are not acting as fairly and honestly as they should. That is the point which is under consideration in this House. Here we are concerned with the contract for distribution of cloth and yarn. The position in Bengal with regard to cloth is well known and it is perfectly clear that but for the bungling of the Ministry, apart from the corruption and nepotism, favouritism, etc., the situation would not have been as acute as it is, and there is absolutely no doubt that the Ministers are responsible for this bungling. Whether that responsibility is discharged by a mere laugh or a smile or merely calling the Opposition liars, it would be for the country outside to judge. It cannot be gainsaid that this cloth famine was apprehended as far back as July last—everybody saw in July last that Bengal was going to face a cloth famine. But since then nothing was done to relieve the situation. Gradually by nepotism and favouritism of the Hon'ble Ministers, they brought to Bengal such a situation that today not a single piece of cloth can be found in the market in Calcutta or any other place in Bengal. Is it possible that the Hon'ble Ministers with all their power and energy are unable to ease the situation? Because they have to support a large number of friends and supporters and because these friends and supporters have to create a black-market in order to make an unlawful gain, they will not use their power and energy to stamp it out. Unless you satisfy your party men and if you cannot keep your partymen satisfied, you cannot keep the Ministry. I submit, Sir, that if the Hon'ble Minister really thinks that these allegations are false, let them face a tribunal and prove it to the hilt. That is all I have to say.

Mr. W. B. C. LAIDLAW: Mr. President, Sir, my comments on this subject are in the nature of advice to the Ministry. The appointment

referred to in this adjournment motion looks bad. It has all the appearance of political patronage. My information is that Mr. Salim has not the remotest knowledge of the cloth trade. It may well be that the trade has not played the game, but surely a less undesirable appointment could have been made. It may be that the Subdivisional Officer made the appointment of his own motion. If that be so, he possibly thought that the appointment would be acceptable to the Ministry. In that case it is for the Ministry to let its officers know that appointments which might raise accusations of political patronage and nepotism must, at all costs, be avoided. Furthermore, in my opinion Mr. Salim himself should have refused the appointment on the grounds that it places him in a very invidious position as an M.L.A. Where is Mr. Salim now? In Dacca, neglecting his legislative duties or in Calcutta, neglecting his sole agency for handling yarn and cloth in Dacca? My continued support of the Government must necessarily depend on Government's ability to clear themselves of the suspicions raised by such appointments as these and on tangible steps being taken by Government to avoid their recurrences.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, it is unfortunate that I was not present when my friend Mr. Keshab Chandra Banerjee was giving his list of nepotism and favouritism by the Government of the day. Mr. Banerjee's grouse is justified. Sir, my grievance against the present Government has always been against the way in which the new Department which they have started is being run. The Hindus are by far the largest section in the commercial sphere and the Moslems are slowly being driven away from that field. Sir, Mr. Banerjee has been trying for a long time to secure some kind of monopoly in the handling of cloth and yarn at Narayanganj. Mr. Banerjee has got his own relation, Dinesh Babu as the handling agent at Narayanganj. Similarly Sir, I can also mention a large number of members in this House and in the Lower House who have not only got the bulk of the Government's trade and procurement contracts. Certainly these distributions were not made for the purpose of securing support for the Ministry. They are making allegations, such wild allegations, that even the Papers are afraid to publish them, because they are baseless and untrue. (Mr. HARIDAS MAJUMDAR: Let there be an enquiry.) I am also demanding an enquiry as to how a large part of the Rs. 65 crores spent on the procurement of food in 1944 have disappeared, how these distributions of particular agencies have been made, who are the principal agents of the Government for handling food supplies. Out of 36 handling contractors only 6 are Muslims. We should like to have an enquiry as to who were primarily responsible for the loss of Rs. 19 crores during the previous year. The Muslims have got only minor contracts. The profiteer capitalists have started a Paper called the *Nationalist*—they finance it to help them to extend their monopolies in trade and increase their political influence. (Mr. HARIDAS MAJUMDAR: We do neither want Hindu thieves nor Muslim thieves.) Mr. Majumdar's political finances come mostly from Bura Bazar. He knows that his counterpart in the other place has been upholding the extreme stage of corruption in which the lives of 60 million people are being held as ransom.

Mr. PRESIDENT: Mr. Hamidul Huq Chowdhury, I hope you will confine yourself to the subject-matter of the motion.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, my point is that they have tried to invade the whole field of the civil supplies. If they had any facts they ought to have been brought forward on the occasion of the Civil Supplies budget. Why this sort of calumny should be allowed to go on against the Provincial Government? *The Nationalist*, a Hindu paper, as I said is being run by the finances of one of the big contractors under the Government of Bengal——

Mr. HARIDAS MAJUMDAR: Never, never.

Mr. HAMIDUL HUQ CHOWDHURY: You know more than I do. Can you tell me who is the financier of the *Nationalist* paper?

Mr. HARIDAS MAJUMDAR: Why? Dr. Mookherji can run a paper like that.

Mr. HAMIDUL HUQ CHOWDHURY: Now, Sir, coming to the cloth situation, may I tell the House that there are two methods that are being resorted to for the last one year. I have protested off and on against them and to-day I have to protest again against those methods. The methods are two, one is the trade and another is the politician. In this matter as well as in the matter of——

Rai Bahadur KESHAB CHANDRA BANERJEE: On a point of order, Sir. Is all this relevant?

Mr. PRESIDENT: When I pointed out to you that you were traversing a very general ground you did not try to restrain yourself. So I should also allow the other side to go on.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the grievances against the Goyernment of the day so far as we are concerned consist in the fact that they have allowed the exploitation of the people of this province to go unchecked. They ought to stop patronages in the form of trade licences and agencies being granted to Non-Bengalees. The Government of Bengal have tried from the very beginning to placate the trade because they were afraid of their influence. The Europeans sitting on our left are interested primarily in the trade. They care very little about protecting the rights of the people of this province. The Bengal Government wanted to curtail the freedom of the trade to exploit the people to the extent they are doing and a violent storm of protest broke out all over Calcutta, and when they reached Delhi and Bombay, Bombay's official conscience was roused and they said that the Government of Bengal should not interfere with trade channels and their freedom. Hundreds of Papers throughout the length and breadth of India echoed and re-echoed that the Government of Bengal is trying to do harm to the trade because it is predominantly a non-Muslim one. This is how Government's hands are checked and Government prevented from doing the only just and proper thing. You will remember what a stiff fight was put up in the matter of foodgrains in the interests of the traders in the city of Calcutta against rationing, against starting of Government stores except through the normal trade channels. They wanted to keep the conduit pipe open throughout, so that the worst form of corruption could go on and they might reap the best of harvests. They requisitioned the services of Sir J. P. Srivastava, the Food Member of the Government of India, who called conferences in support of trade alone. If those had succeeded, Calcutta's suffering would not have ended.

Mr. PRESIDENT: I do not think that is a very pertinent observation that you have made.

Mr. HAMIDUL HUQ CHOWDHURY: I am only showing by illustration how these vested interests operate——

(At this stage the honourable member reached the time-limit and was asked to take his seat.)

Sir, I have not yet met the real points of attack. I think I have spoken for 7 minutes only; there must have been some miscalculation somewhere, and some considerable time has been taken up by interruptions.

Mr. PRESIDENT: All right, I can give you two minutes more.

Mr. HAMIDUL HUQ CHOWDHURY: With 5 minutes I could have met all the charges. All that I say most emphatically is that the charges

levelled against me and Mr. Sahabuddin are baseless, untrue and maliciously false. Now, Sir, in the case of cloth, the Hindu Opposition has taken up this attitude to frustrate all attempts on the part of this Government to solve the trouble and thus they will have a big stick to damn the Government. They have joined hands with people who are monopolist in the trade and with the forces thus combined have kept up an agitation on foot thereby preventing Government from controlling cloth distribution. Bombay came down upon the Government of Bengal when they found that Bengal was doing her best to cope with the situation.

Then, Sir, the Rai Bahadur has introduced the names of certain firms. Bombay came down upon the Government of Bangal when they found that Bengal was doing her best to cope with the situation.

Then, Sir, the Rai Bahadur has introduced the names of certain firms. May I say that so far as Mr. Salim is concerned Mr. Laidlaw is not at all relevant when he said that the Subdivisional Officer had selected Mr. Salim for the purpose of cloth distribution. As far as I know, he was never appointed an Agent for distribution. In November 1944 an s. o. s. came from all over the province for small quantities of cloth for the villages during the *Pujahs* and the *Id* and the various S. D. O.'s were asked to select men who could take charge of 50 bales of cloth and distribute them to the local dealers. Mr. Salim is probably one of those persons who were asked by the Subdivisional Officer to get hold of the bales. That is perhaps all that has happened because at that time there was no other scheme in operation or in contemplation.

(The honourable member again reached his time-limit and resumed his seat.)

Mr. HARIDAS MAJUMDAR: Sir, I whole-heartedly support the motion so ably moved by Rai Bahadur Keshab Chandra Banerjee. I would say that I had to send the following cable only yesterday to the British Prime Minister in London: (Cases of suicide are reported. Government contracts valued at millions of sterling are given to interested parties without proper tender being called and the corrupt Ministers are bungling".

Sir, Bengal has become a "no-man's" land. The Central Government is telling us that it is an autonomous province and as such Bengal looks after her own internal affairs; and here in Bengal the Ministers are bungling. I hear again that there will be cloth rationing. Rationing of cloth will be something like food rationing during the last famine period. It will come no doubt to make the situation more acute. I hear again, Sir, that at the textile conference the tie was 8 to 8 and the Chairman voted in favour of the Government proposal of rationing by way of starting new shops, the normal trade channels being closed. So we see danger ahead and there will be a bitter cloth famine if the normal channels are closed and if new shopkeepers having no knowledge of the business are appointed in order to distribute the limited supply of cloth to the supporters and friends of the Ministry. We know that they will bring another famine. This motion has given only one instance of distribution of patronage. Mr. Salim is only one instance and if such "Salimism" go on for another 3 or 4 months, there will be another bitter cloth famine like the rice famine which we have experienced. I sound a note of warning that this bungling must be stopped. This Ministry is giving licences for shops and contracts to persons without calling for tenders in the Press. Reasonable business concerns call for tender and advertise, so that men in the line may come forward with their purse, with their knowledge and wisdom of the trade. Sir, nine crores of rupees worth of boat contract is reported to have gone to a gentleman without calling for a tender in the Press. Why was not the contract given to the regular businessmen? With these words, I warn the Government and ask the Hon'ble Minister to explain the position. This "Salimism" must stop in Bengal if Bengal is to live.

Khan Bahadur ABDUL MOMIN: Mr. President, Sir, it has been extremely painful to me to hear the speeches that have been made on the floor of this House this afternoon. I am under the impression and this was my belief that this sort of mud-flinging was the monopoly of a different place. But I find to my regret that the contagion has spread to the House of Elders. Sir Nazimuddin said after listening to the speech of Rai Bahadur Keshab Chandra Banerjee that he had to change his opinion about him in certain matters. I am sorry that I have also to change my opinion on a different aspect besides what Sir Nazimuddin mentioned. I have always advocated that the Court of Wards Act should only give protection to minors, widows and lunatics and my grievance was that since men like Rai Bahadur Keshab Chandra Bannerjee did not fall under any of these categories, there was no justification for Government to show this favour to him. Today after listening to him I have to change my opinion. I find he really comes under one of the categories mentioned in this section of that Act and there is certain justification for Government to look after him. Sir, I am not going into the merits of the facts mentioned by the Rai Bahadur but I may characterise his statement to be hitting below the belt and that is not expected from a member of the House of Elders. I do not know all the persons referred to by him but some of them I know and from my personal knowledge I conclude that most of the allegations are not true. (Mr. SHRISH CHANDRA CHAKRAVERTI: Some are true then?) He has split up his motion into three parts. First is the appointment of Mr. Salim as the sole distributor of cloth in Dacca. If, as Mr. Laidlaw has stated, this appointment was given to him because of his political connections or because of his connection with some of the Ministers, I would certainly deprecate it. But if that appointment was made on merits, if the Civil Supplies Department of the locality did not find anybody more suitable to handle the distribution or did not find a more respectable man on whom reliance could be made, I think simply because Mr. Salim happens to be a relation of a Minister does not debar him from doing business.

Similarly, as regards various appointments referred to by him, I know nearly all of them came into existence before the present Ministry was formed. (Rai Bahadur KESHAB CHANDRA BANERJEE: Question.) These appointments were so unpopular, namely, in Pioneer Force, A. R. P., that there was very much agitation by the Muslims that they were not getting proper share. I do not think, Sir, that by giving some small temporary jobs here and there to their relations the Ministers are really showing very much favouritism. If any appointment was really made which was not deserved, which was made only because of ministerial influence, I would deprecate as much as the Rai Bahadur has done.

As regards the contracts, he has mentioned a long list and I do not know most of them. But certainly I know one or two and in respect to them I may say that the Rai Bahadur has spoken without a brief. One of these companies is a very big one and came into existence long before the present Ministry was formed. They were in the field before the Ministers were appointed or before they had any idea of being appointed as Ministers. Moreover, most of these companies are working under the Government of India, and they have no connection with the local Government at all and they exercise no influence whatsoever on the Government. Generally speaking, as regards the boat-building matter which the Rai Bahadur has referred to, he ought to know that the majority of the contractors who were given contracts for building boat had to suffer loss. It was not a case of patronage at all. It was openly declared that any one who wanted such a contract was welcome. As a matter of fact, the biggest contract for boat-making is now being worked by—I will not mention his name—a very big businessman who is a member of the Opposition.

In every case of contract as far as I know—and I know this because many of my own people are contractors—it is impossible to get any contract unless you quote the lowest tender. Therefore, to make a general criticism

without knowing the particular facts is very unfair and very unjust, and I think we should not indulge in such interpretation. I know that the Hon'ble Minister-in-charge is perfectly capable to defend himself. But what I want to impress on this House is that this sort of loose talk and abuse is reprehensible. The very idea of mudslinging and with the expectation that some of it will stick to your opponent is not worthy of any gentleman.

Mr. LALIT CHANDRA DAS: Mr. President, Sir——

Mr. PRESIDENT: Mr. Das, I would request you to finish your speech within five minutes, because I will have to give full twenty minutes to the Hon'ble Minister to reply.

Mr. LALIT CHANDRA DAS: All right, Sir, I shall try to finish as quickly as possible.

Sir, specific charges were mentioned by Rai Bahadur Keshab Chandra Banerjee, and so far as we have heard the speeches of the honourable members opposite they have failed to meet the charges. Now, Sir, one specific charge is that the Government by issuing a licence to Mr. Salim for the purpose of selling cloth has violated its own orders. The order was that during 1940-1943 no license should be granted to any person who had no experience in the cloth trade and that no person will have any chance of getting a textile licence for the purpose of selling yarn or cloth during the years 1940-43, except the trades people. That was the order of the Government, and no reservation was kept in the hands of the Government to make any exception in the case of any individual. Now, Sir, so far as we know, Mr. Salim has no experience whatsoever in the cloth trade, and yet Government has granted textile licence to him for the purpose of selling yarn and cloth. In fact, an instance was given by the Rai Bahadur to the effect that 39 bales of fine cloth were actually received by Mr. Salim. But how he disposed of them God alone knows. Sir, these are specific charges specifically mentioned by the mover of the motion. If there had been a violation of the orders, then a clear case has been made out for an enquiry. It is not a matter of statement by one party and then denial by the other. There is another instance mentioned in the resolution itself, namely, the fact of nepotism and distribution of patronage among members of the legislature and near relatives of the ministers, etc. In going through his charges the Rai Bahadur made mention of 16 instances wherein the Ministers have violated the simple law that the Ministry should not be charged with nepotism or distribution of patronage. Rai Bahadur Keshab Chandra Banerjee has stated that in the case of 16 persons at least who are near relatives of the Ministers favours and patronage have been distributed. To that charge, as far as I have heard, there has been no reply except a very general denial. With regard to the distribution of contracts also, as mentioned in the motion itself, nine instances were given showing that contracts have been distributed to persons who are near relatives of the Ministers, and with some of which some Ministers themselves are concerned, and the names of their wives also have been mentioned; but as far as I have heard from the other side there has been no reply.

With regard to the general distribution of contract also, two instances at least have been given in which the name of Mr. Hamidul Huq Chowdhury was mentioned, but he did not give any denial——

Mr. HAMIDUL HUQ CHOWDHURY: Well, I have done so hundreds of times.

Mr. LALIT CHANDRA DAS: He did not do so, Sir, but used expressions quite unworthy of a member of this House. He did not reply

to the specific charge made against him; so we may take it that it is a fact that the allegations regarding him are true. When these facts are before the House and will be before a much wider public next day, if the Ministry claim that like Capurnia they are above suspicion, then they should appoint a tribunal to enquire into these allegations and get judgment from them and be either absolved or condemned. Sir, with these words, I support the adjournment motion.

Mr. HUMAYUN KABIR: My honourable friend, Khan Bahadur Abdul Momin always tries to take a sober view in the discussions in this House. His speech is itself a justification that an adjournment motion more or less on these lines should be moved. I will not go into the specific charges. I have no means of knowing many of the things that I understand have been discussed in this House. But one thing remains, and that is this. There have been specific charges made on one side of the House and from the other side there has been a general disclaimer. Mr. Hamidul Huq Chowdhury, a very able debater and a man who can make clever use of facts if he wants to, has studiously avoided placing facts before the House. In the course of a speech of 15 minutes he says that he has come only to his preliminary remarks. Sir, an old campaigner like him ought to know that in the case of an adjournment motion the time is limited. He, therefore, ought to have been in the thick of his arguments early enough. Khan Bahadur Momin explicitly stated that he did not want to go into the merits of the case. This is evidence enough that a motion of this type requires consideration.

As to the correctness or truth of particular statements made on either side of the House, we have no means of ascertaining the position; but there are certain things which require an enquiry. I will, therefore, ask the Hon'ble Mr. Suhrawardy to answer, if he can, certain specific questions that I would like to put to him. One question has been asked by Mr. Das. The rules of the Government provide that nobody was to be given any contract or monopoly unless he had been in the cloth trade before the year 1942 and 1943. Was Mr. Salim such a man? Was he in the trade before that year? Again, we find that the wholesale monopoly for yarn has been given to Mr. R. P. Saha. I would ask the Hon'ble Minister to say if Mr. Saha has been in this yarn or cloth trade before 1942-43. I believe, Sir, that he had no business either in yarn or in cloth in the district of Dacca or in other districts.

Contracts are often given on grounds which are purely of a political nature. You will realise from the nature of the answers to questions given on the floor of this House—answers given by Government—that contracts have been given to persons who had no connection with the trade before. It was also stated that the relationship of a particular person to whom the contract was given or the political party to which he belongs was not known to the authorities in the district towns. We know, Sir, that the Collectors and Magistrates and local authorities know the relationship of almost every such person (VOICE FROM THE TREASURY BENCH: To whom are you referring?) I am referring to my own district. Questions were asked as to whether contracts were given to a particular gentleman belonging to a particular party. Such contracts have been given in a most flagrant manner and cannot be defended by the Goverment in any way.

Sir, my time is very limited—probably I have only two or three minutes more—and I will end with one other query. My honourable friend Mr. Hamidul Huq Chowdhury fell foul of Sir Jawla Prasad. I am not going to enter into a defence for a member of the Government of India. Members of the Government of India can take care of themselves. Sir Jawala can dispose of men more redoutable than my friend Mr. Hamidul Huq Chowdhury. I would ask the Hon'ble Minister to state what he has

to say in regard to Sir Azizul Haque's statement. Sir Azizul Haque stated that Bengal has had proportionately more cloth and yarn out of its quota than other provinces——

Mr. HAMIDUL HUQ CHOWDHURY: That is not true——false——

Mr. HUMAYUN KABIR: My honourable friend depicts members of the Government of India as being liars or their statements as being false. I will leave it at that. But I would ask the Hon'ble Minister specifically whether Sir Azizul Haque was stating the truth or falsehood? I need not take Mr. Hamidul Huq's remarks seriously. But I would ask the Hon'ble Minister to state specifically whether, as stated by Sir Azizul Haque, the cloth allotted to Bengal is larger than its quota and further that the responsibility of the Central Government is only to see that the allotted quota reaches the province concerned. As to distribution and as to whether any cloth goes outside the province this is entirely a matter of provincial responsibility (here the member reached the time-limit and was allowed one minute). Sir Azizul Huq has definitely stated that whether the cloth goes to Tibet or Egypt is a matter entirely for the province and the provincial Government must be held responsible for that. I would ask the Hon'ble Minister to say how the sources of supply are controlled. Where there are so many restrictions for cloth and yarn supply, where there is monopoly of the means of transport, how is it possible for the cloth and yarn to go as far afield as Egypt and Tibet!

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. President, Sir, I shall attempt to confine myself as far as possible to the subject-matter of the motion and not digress into irrelevant matters, except to answer one or two points which have been raised by the members of the House. The motion asserts that there is nepotism and distribution of patronage amongst members of the Legislature and near relatives of the Ministers. The insinuation and suggestion, however, are that the distribution of patronage has been at the instance of the Ministry.

Now, Sir, I want to tell this House and I would ask the honourable members to believe me when I say that the appointment of Mr. Salim was not made by the Ministers and was unknown to them. It surprised me when this was brought to my notice, and I immediately made enquiries into the matter. I have got an explanation from the local officers and certain facts which I wish to place before the House. I would like, first of all, to state the background of such appointments. In the first place, there is a great deal of confusion regarding the licences of 1940, 1941 and 1942 and their alleged exclusive right to trade. These basic years were adopted by the Government of India for the purpose of fixing those persons who were entitled to a quota from the cotton mills. My Textile Department informs me that whereas in 1940-41 or during the normal trade time there were 20,000 licensees or dealers in Bengal, by the end of 1944 there were 30,000 such dealers. You can realise that the giving of a licence to Mr. Salim, who may not have done business before, was not such an extraordinary act because issue of licences by the Textile Department was not being confined to dealers of 1940-41 or 1942 only. I just wish to clear up this point first.

The next point is that Mr. Salim is not the sole handling agent for cloth and yarn, as Mr. Laidlaw appears to think. It happens that at the time when the Government of Bengal was sending and distributing cloth to the various subdivisions, Subdivisional Officers were asked to nominate people who were prepared to come and take the cloth from Calcutta, to pay for it cash down, and who could be trusted to distribute in the mofussil under the guidance of the Subdivisional Officers. It was necessary, therefore, that the Subdivisional Officers must choose a man who was not only able to finance but who was of such impeccable responsibility that he could be trusted not to place the cloth in the black-markets but to distribute it under his guidance. These appointments were made, these

selections were made entirely by the Subdivisional Officers and they were automatically honoured by the Provincial Textile Controller. Now, the Provincial Textile Controller did not even know the name of Mr. Salim; how could it be expected that he should know that Mr. Salim was related to one of the Ministers? I may tell the House here and now that I do not recommend a single person as agent, or recommend any shop. I do not look into these matters at all: but leave the selection entirely to the judgment of the local officers. It is suggested by Mr. Laidlaw that there must be some check of some kind or other on these selections of persons by the Subdivisional Officers. Now, Sir, I have voluntarily given up that check because I think that selections by me from here may create far worse complications. Today, I am in a position definitely to assert that I do not know anything about these appointments. Never is any file dealing with such appointment put up to me or the Commissioner of Civil Supplies, and I thank Heavens for it. If as a matter of routine the file had been put up to me, then even though it would have been a fact that I did not know anything about this, hardly anybody would have believed me just because Mr. Salim happens to be a relative of an Hon'ble Minister. Now, Sir, this cloth was given to this gentleman at a time when it was extremely difficult to find persons to take out cloth from Calcutta, and when it was extremely difficult to extract cloth from the persons who had cloth in their hands. Although Mr. Salim was given a permit to take 50 bales of cloth, he could not get more than 39 bales, 11 bales having been dishonoured by the permit-holders. I have records here which show that these 39 bales of cloth were taken to Dacca, that they did not reach Dacca till the middle of December, and that as soon as the cloth arrived there the fact was reported to the Subdivisional Officer and distribution was made to the approved holders of permits issued by the Subdivisional Officer. This is how the cloth was distributed, and it is by no means a secret as to what happened to that cloth in spite of what is being insinuated by the Opposition.

Now, Sir, as regards the remuneration of Mr. Salim as a handling agent, it was only five per cent. The cloth was worth Rs. 40,000 and his remuneration was thus only Rs. 2,000, and out of this Mr. Salim paid the sales tax himself and did not realise sales tax from the dealers to whom the cloth was sold. He paid the freight charges from Calcutta to Dacca, he paid the godown charges and in the end he had to pay from his own pocket an additional sum of Rs. 800. So I do not find that this was a great boon to him; it was only in the interest of the local people that he did this. As the Chairman of the District Board he found that the people did not have cloth, and that persons were not available to take cloth from Calcutta; so he himself undertook the responsibility. Now, Sir, is it a crime for Mr. Salim to enter into business or trade? Is it a crime for the Dacca family members to enter into business or trade or to enter into Government service? Should they be hangers-on because two of their relatives happen to be Ministers of Bengal? Should they sponge on their relatives here and must not look out for a living?

Next, Sir, I come to Mr. Salim again. I have got a report here from the Subdivisional Officer who says that in respect of yarn as well Mr. Salim is a mere handling agent and does not act as a trader. All that he does is that when the cloth or yarn goes to Dacca Sadar, he honours the railway receipt and takes possession of the bales and thereafter he distributes it to permit-holders. He does not sell: he just hands the goods over against the permit given by the Subdivisional Officer. He is no trader and does not trade. Therefore, the question that it is necessary that he should have some knowledge of the cloth business or cloth trade does not arise. He was appointed such an Agent on the 21st December, 1944, by the Subdivisional Officer, Sadar South, and up till now he has received 378 bales

of yarn. He was given a textile licence in October, 1944, on the recommendation of the Subdivisional Magistrate, Dacca. This is so far as Mr. Salim's case goes.

Now, Sir, I would like also to maintain—and here I do not know whether I should be condemned for it or not, but it is a fact that I do not agree with the proposition that the traders should be confined to those and those only who trated in cloth in 1940, 1941 and 1942. I beg to point out that most of the traders at that period of time happened to be Marwari gentlemen and non-Bengalees, and when bombs fell on Calcutta they disappeared from here. The burden of carrying on the trade and distribution fell upon the local people and then for the first time Bengalees came into the field. I am absolutely averse to throwing them out of the field of business like flies out of milk. They stepped into the field at a very crucial moment and they are entitled to our support and consideration. Now, trade cannot be an eternal monopoly. There is no reason why persons who were never in the trade before should not take up trade and business here.

Sir, I do not wish to answer the various charges that have been made by Rai Bahadur Keshab Chandra Banerjee with which I have no concern. But with regard to those points that affect me I cannot but say as forcefully as possible that they are damned lies. Sir, the reason why I use this rather strong expression is this: It has become a habit with the Opposition to make insinuations against members of the Ministry; in the beginning I took it as a joke and as the vapourings of more or less demented individuals who were anxious to become Ministers but were not able to become so.

Rai Bahadur KESHAB CHANDRA BANERJEE: On a point of order, Sir. Is the word "demented" parliamentary?

Mr. PRESIDENT: I think it is not unparliamentary.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I find that they have behind them a sympathetic Press which is only too anxious to pounce upon such insinuations and make a mountain out of molehill and it is easy for the Hindu Mahasabha which has got plenty of money to send telegrams all over the place and make charges against the Ministry in Bengal. It is for this reason that I am using strong words, and I will not allow such statements to pass by without an immediate challenge that they are "damned lies", for that is the only word, Sir, that can most satisfactorily and truly convey what I mean. I hope you will permit me to use that word, Sir, for I do not find any other expression that can more truthfully express the nature of the statements of the Rai Bahadur.

He has stated that I am a partner in the Salimar Engineering concern. Sir, a sillier and more false statement could never have been made. I do ask the honourable member to file a case against me in a court of law or permit me to do so, so that its falsity may be proved in a public trial. Then, it is said that in partnership with R. P. Shaha I have purchased some land or something like that of which also I do not know anything. This again is a fabrication of the first water. I can prove it if I am given a chance to do so in a court of law. I know, Sir, what I have purchased and what I have not; but I need not go into my private affairs now. (Mr. LALIT CHANDRA DAS: Why not?) (Mr. SHRISH CHANDRA CHAKRAVARTI: Let us hear details of your purchases since you came to office, please.) If you wish to know, then let me tell you that since coming into office I have sold what little I had.

Then, Sir, Mr. Bankim Chandra Mukherji and Mr. Humayun Kabir have referred to the statement that was made by Sir Azizul Haque regarding supply of cloth and yarn in Bengal. Today I have taken the trouble of speaking to the Press for about 2½ hours and have given them a full note.

I hope that a complete note of what I said and the answers given by me to the questions put by the Press representatives on the subject would be printed. Mr. Bankim Chandra Mukherji referred also to the appointment of Mr. Salim. On the first occasion when he had made the charge that his appointment was made by me, I immediately wrote a letter to him asking him how he made that charge against me—what is the basis. He then sent a reply to me to which again I sent a reply back denying his allegations and informing him that I have nothing to do with the appointment of handling agents. Today he states graciously that it may be true that I have not appointed him but that he has been appointed by somebody else. (Mr. Shrish Chandra Chakraverti: Your Parliamentary Secretary has appointed him.) Well, Sir, this again is false, and members will do well to ascertain the facts before making wild charges.

Now, Sir, it has been said that suicides have taken place in various parts of Bengal for want of cloth. This is grave, if true. But I want at this moment straightaway to contradict to it. (Voices from the Opposition Benches: It has been published in the newspapers and it is true.) Well, Press repeats the vapourings of a few politicians (interruptions from the Opposition Benches). Press has done nothing except publishing the vapourings of a few politicians. If any substantive case of suicide for want of cloth is brought to my notice, I am quite prepared to investigate and find out the real facts.

With regard to what Mr. Laidlaw said, my reply is that there is no question of political patronage so far as the trade is concerned. Mr. Salim is not a trader but he took the cloth only for the purpose of distribution at a very crucial moment at the request and under the guidance of the Subdivisional Officer who thought Mr. Salim to be more suitable for the job. That is a matter of opinion of the Subdivisional Officer—perhaps he thought he would choose a big man—a man on whom he can place complete reliance and who would not make black-market. Then, Sir, I hope you will give up your tenderness for the trade and the belief that only traders should be given this job. You know for yourselves how the trade let down the people of Bengal. You yourselves said that trade let down the people and again you plead that the trade should be given a chance. It is for them that today there is a black-market. I have tried my best to co-operate with the trade. I gave them chance after chance and even considerable freedom. I even placed distribution and control of yarn and cloth in their hands. I gave them these opportunities because the Government of India wanted to give them further chances, and wished that the normal trade channels should be utilised. But we know how the trade has worked. It has let down the people of Bengal and still you insist that the trade should be given control (here the Hon'ble Minister reached time-limit and resumed his seat).

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, in reply I may——

Mr. PRESIDENT: Well, Rai Bahadur, there is no time for reply.

Rai Bahadur KESHAB CHANDRA BANERJEE: Shall I not be allowed to exercise my right of reply?

Mr. PRESIDENT: All right, you may speak for 5 minutes.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, may I suggest that the question be now put? I did not get time to develop my speech.

The question was then put and a Division challenged.

(When the division bell was ringing.)

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, will you not exercise your discretion in this matter?

Mr. PRESIDENT: I would not have allowed the question to be put if I were satisfied that the matter had not been sufficiently discussed.

Mr. LALIT CHANDRA DAS: But you, Sir, actually gave the Rai Bahadur 5 minutes to reply.

Mr. PRESIDENT: Don't you see, Mr. Das, that when the closure motion is moved, it is not for the Chair to refuse it ordinarily?

Mr. HUMAYUN KABIR: Sir, I think the debate falls through automatically now, as it is 3-30 p.m. and we started the discussion at 1-30 p.m.

Mr. PRESIDENT: No, we started at 1-35 p.m.

AYES—27.

Khan Sahib F. Ahmed.	The Hon'ble Khan Bahadur S. M. Hosain.
Mr. M. Ahmed.	Mr. L. Hossain.
Mr. N. Ahmed.	Mr. M. Hossain.
Mr. S. Ahmed.	Mr. W. B. G. Laidlaw.
Khan Bahadur N. Amin.	Mr. A. Latif.
Mr. D. L. Barua.	Khan Bahadur M. A. Momin.
Mr. Reajuddin Bhuiya.	Mr. T. B. Nimmo.
Mr. Moazzemali Chowdhury.	Mr. J. Orr.
Mr. H. Huq Chowdhury.	Khan Bahadur M. Rahman.
Khan Bahadur A. H. Chowdhury.	Rai Bahadur R. B. Roy.
Mr. C. E. Clarke.	Mr. K. C. Roy Chowdhury.
Mr. D. J. Cohen.	Dr. K. Talukdar.
Mrs. K. D'Rozario.	Khan Bahadur M. Shamsuzzoha.
Mr. L. P. Dutt.	

NOES—13.

Rai Bahadur K. C. Banerji.	Rai Bahadur B. M. Maitra.
Mr. S. C. Chakraverti.	Mr. N. N. Mohalanabish.
Mr. K. A. Chowdhury.	Mr. R. Pal Chowdhury.
Mr. L. C. Das.	Rai Sahib J. N. Ray.
Mr. B. C. Datta.	Mr. A. D. Roy.
Alhadj Khan Bahadur Shaikh Mohd. Jan.	Mr. Biren Roy.
Mr. Humayun Kabir.	

Mr. PRESIDENT: Order, order. The House has divided:

For the motion 27 and against the motion 13; the closure motion is therefore, carried. I cannot put the adjournment motion to vote now, because two hours are over.

Bengal Non-Agricultural Tenancy (Temporary Provisions) Amendment Bill, 1945.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: Sir, with your permission, I should like to move that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Amendment Bill, 1945, be introduced.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, how can the Bill be introduced since we have got no copies of the Bill?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: Sir, this Bill was published in the *Calcutta Gazette*, and copies will soon be available.

Mr. PRESIDENT: Mr. Chakraverti, this Bill was published in the *Calcutta Gazette* and copies will soon be available to you. The Bengal Non-Agricultural Tenancy (Temporary Provisions) Amendment Bill, 1945, is, therefore, introduced.

The House stands adjourned till 1-30 p.m. to-morrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Thursday, the 22nd March, 1945.

Members absent.

The following members were absent from the meeting held on the 21st March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. Kader Baksh.
(3) Mr. K. K. Dutta.
(4) Khan Bahadur Abdul Gofran.
(5) Mr. J. S. Graham.
(6) Maulana Mohd. Akrum Khan.
(7) Khan Sahib Subidali Mollah.
(8) Mr. N. N. Mookerji.
(9) Mr. R. S. Purssell.
(10) Dr. K. S. Ray.
(11) Mr. S. N. Sanyal.
(12) Mr. Yakub H. S. Sattar.
(13) Khan Sahib Maulvi Wahiduzzaman.

BGP-45/6-3266A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 19.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 22nd March, 1945, at 1-30 p.m., being the nineteenth day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

District School Board of Birbhum.

64. Mr. BANKIM CHANDRA MUKHERJEE: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) the total number of members nominated by Government to the School Board of Birbhum;

(*b*) how many of them are respectively Caste Hindus, Scheduled Castes and Muhammadans; and

(*c*) the percentage and the population of Caste Hindus, Scheduled Castes and Muhammadans; and

(*d*) the total number of members of the School Board including the nominated members with their names?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. Tamizuddin Khan): (*a*) Four.

(*b*) Two Scheduled Castes and two Muslims.

(*c*)

Caste Hindus	...	406,182
Scheduled Castes	...	280,254
Muslims	...	287,310

Percentage:

Caste Hindus	...	38·74
Scheduled Castes	...	26·73
Muslims	...	27·40

(*d*) Total number of members of the Board—15.

Subdivisional Magistrate of Sadar and Rampurhat subdivisions. District Inspector of Schools, Birbhum, Chairman and Vice-Chairman of Birbhum District Board:—

Babu Kali Kinkar Mukherjee.

Alhadj Maulvi Syed Muhammad Maswood.

Babu Satyanarayan Banerjee.

Babu Anadi Kinkar Roy.

Babu Amiya Kumar Banerjee.

Babu Dhajadhari Mukherjee.

Khan Sahib Choudhuri Abdul Majid.

Maulvi Nurul Absar, B.L., Pleader, Suri.

Babu Debendra Nath Das, M.L.A.

Dr. Sisir Kumar Saha, M.B.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please explain as to why, when four men have to be nominated, two have been taken from the Scheduled Castes and two from the Muslims and the caste Hindus have been completely excluded?

Mr. K. C. ROY CHOWDHURY: Well, Sir, the question is only regarding the numerical strength.

Mr. LALIT CHANDRA DAS: Yes, but why have the caste Hindus been completely excluded, although as many as four persons have been nominated? From the information it would appear that on a population basis the caste Hindus are in a majority there.

Mr. K. C. ROY CHOWDHURY: I want notice.

Administrative officers in the district of Tippera.

65. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state who are the Sadar Subdivisional Officers in the district of Tippera? Why has a Sub-Deputy been put in charge of the North Sadar?

(*b*) Was it previously the practice to put at least one non-Muslim officer in charge of one of the two areas in the Sadar?

(*c*) Who is the Police Superintendent in Tippera?

(*d*) Will the Government consider the desirability of putting a non-Muslim officer of the B.C.S. rank in charge of one of the two areas in the Sadar, to revive partially the confidence of the non-Muslim in that quarter?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (1) Maulvi Md. Ershad, Deputy Collector, and (2) Maulvi Musharraf Hossain, Sub-Deputy Collector.

A Sub-Deputy Collector has been put in charge of Sadar (North) due to dearth of Deputy Collectors.

(*b*) It has been my policy to post one Muslim and one non-Muslim officer wherever there are two Sadar Subdivisional Officers but this is not always possible.

(*c*) Maulvi Muhammad Aboo Abdullah.

(*d*) As one of the Additional District Magistrates is a non-Muslim and a number of important posts are held by non-Muslims, the question of reviving the confidence of the non-Muslims does not arise.

Mr. LALIT CHANDRA DAS: Arising out of (*b*), will the Hon'ble Minister be pleased to explain why it was not possible to post a non-Muslim there since it appears that the policy of Government is to post one Muslim and one non-Muslim officer wherever there are two officers? Is there any dearth of non-Muslim in Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir, there are many places where there are two Hindu officers. At present there is a Hindu Subdivisional Officer in Tippera.

Mr. LALIT CHANDRA DAS: Arising out of (*d*), will the Hon'ble Minister be pleased to state the name of the Additional Magistrate who is a non-Muslim?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. LALIT CHANDRA DAS: Is he a Hindu or European?

The Hon'ble Khwaja Sir NAZIMUDDIN: There are two Additional Magistrates: one is Hindu.

Mr. LALIT CHANDRA DAS: You do not know his name?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to consider the desirability of placing a B.C.S. cadre officer here?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, because there is a great dearth of B.C.S. officers. Many other Sadar subdivisions are at present in charge of Sub-Deputy Collectors.

Wholesale agents appointed by Government for standard cloth.

66. Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state—

(*a*) who are the wholesale agents appointed by the Government for the purpose of standard cloth in this Province;

(*b*) what remuneration are paid to these agents; and

(*c*) how many of them are Muslims, and how many non-Bengali Hindus?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Wholesale agents for handling and distribution of standard cloth are appointed from reliable traders with substantial credit and Central Co-operative and other respectable banks. Excluding Calcutta, where all the handling agents have been drawn from the trading community, the existing agents in the districts are mostly Co-operative Banks or Credit Societies.

(*b*) The remuneration allowed is 1 per cent. on ex-mill price of goods handled. All charges incurred by the handling agents for storage, local carriage and insurance are met out of their remuneration.

(*c*) Details of the communal allotment of wholesale agencies in the districts are not at present available. In Calcutta the wholesale agents are—

Bengali Hindus—1.

Non-Bengali Hindus—2.

Muslims—1.

Supply of yarn to the weavers.

67. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state whether it is a fact that the Government of Bengal intend to start two spinning mills to produce yarn to supply them to the weavers? If so, what is the estimated cost thereof? And where will they be located? When will the work start? Why starting spinning mills by Government were not so long contemplated?

(*b*) Instead of the scheme of yarn distribution through Government depots, will Government consider the desirability of starting weavers' co-operatives and to put the scheme of yarn distribution through them to ensure speedy and fair distribution? If not, why not?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Minister in charge of the Commerce, Labour and Industries Department): (*d*) A scheme for the establishment of a spinning mill in Bengal was sponsored departmentally so far back as 1940 with the object of supplying yarn to the hand-loom weavers of the Province, but owing to difficulties arising *inter alia* from the non-availability of plants and accessories required for the mill at the time, it was not proceeded with further on the expert advice of the Bengal Industrial Survey Committee. It is, however, now in contemplation to start one such mill in Bengal immediately and a scheme to that end is now being worked out.

(*b*) Government have under consideration two alternative schemes for the reorganisation of the hand-loom industry of Bengal which *inter alia* envisages the supply of yarn to the hand-loom weavers—one to be worked through the Government depots and the other through co-operative organisations. Pending a decision as to which of the schemes should be implemented if at all, a Special Officer with expert knowledge of the problem will shortly be appointed to study both the schemes and advise as to which of these has a better chance of success.

Rai Bahadur KESHAB CHANDRA BANERJEE: Have the Government made up their mind as to who will be the Special Officers?

Mr. K. C. ROY CHOWDHURY: The personnel has not yet been decided.

Rai Bahadur KESHAB CHANDRA BANERJEE: Do the Government propose to invite applications from qualified candidates?

Mr. K. C. ROY CHOWDHURY: That matter also has yet to be considered.

Mr. NAGENDRA NATH MAHALANOBISH: When Government expect that these mills will be started?

Mr. K. C. ROY CHOWDHURY: Correspondence is going on between the Provincial Government and the Government of India for priority import of machinery.

Mr. NAGENDRA NATH MAHALANOBISH: Have the Government any specific idea of the date?

Mr. K. C. ROY CHOWDHURY: For want of machinery it is held up.

Mr. NAGENDRA NATH MAHALANOBISH: If this is still uncertain when the mills will be started, have the Government taken any steps to supply yarn to the weavers in Bengal?

Mr. K. C. ROY CHOWDHURY: Preference has been given for the supply of yarn to the handloom weavers.

Mr. LALIT CHANDRA DAS: In the scheme has it been settled as to where the mills will be located?

Mr. K. C. ROY CHOWDHURY: Location has not yet been decided.

Mr. SHRISH CHANDRA CHAKRAVERTI: How will these mills be managed, will they be limited concerns or state-managed?

Mr. K. C. ROY CHOWDHURY: State-managed.

Mr. SHRISH CHANDRA CHAKRAVERTI: Will any shares be sold outside?

Mr. K. C. ROY CHOWDHURY: No.

Supersession of Local Bodies by the Government.

68. Mr. RANAJIT PAL CHOWDHURY: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether the Government contemplate to take over the control of the Public Health Department from the local bodies;

(*b*) if so, the reason or reasons that have led to such a decision; and

(*c*) whether such control is intended to be permanent or temporary?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): A proposal for provincialisation of the District Public Health staff is under the consideration of Government.

Mr. RANAJIT PAL CHOWDHURY: When a reply can be expected?

Mr. K. C. ROY CHOWDHURY: That depends on the progress of this ordinance business.

Mr. BIREN ROY: Will the Parliamentary Secretary please state why answers to (*b*) and (*c*) have been avoided?

Mr. K. C. ROY CHOWDHURY: Because the matter—whether the Government will take up the control from the District and Local Boards and provincialise them—is still under consideration.

Khan Bahadur NURUL AMIN: What are the reasons that led the Government to consider the taking up of the control of the District and Local Boards ?

Mr. K. C. ROY CHOWDHURY: The reasons are not yet known.

Khan Bahadur NURUL AMIN: How is it that Government propose to take up the control of the District Boards when the reasons for this step cannot be disclosed?

Mr. K. C. ROY CHOWDHURY: The matter is still under consideration.

Mr. RANAJIT PAL CHOWDHURY: Do the Government propose to take away the powers of the Union Boards as well?

No answer.

Mr. SHRISH CHANDRA CHAKRAVERTI: If there is no reason for taking over the control of the Public Health Department, then what gave the Government the occasion for thinking that they should take up the control? There must be some reasons. What are they?

Mr. K. C. ROY CHOWDHURY: I have nothing further to add to what I have already stated.

Rai Bahadur KESHAB CHANDRA BANERJEE: Have Government satisfied themselves that the present system has not been working well?

Mr. K. C. ROY CHOWDHURY: It is not working well, and that is why Government is considering the question of provincialisation.

Rai Bahadur KESHAB CHANDRA BANERJEE: Is it due to the inefficiency of the local staff or is it due to lack of interest on the part of Government in supplying serum and other things for public use?

Mr. K. C. ROY CHOWDHURY: It is all due to the unsatisfactory function of the present system.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am here today and I prepared to answer all the held-over questions, if the honourable members so wish.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, we have not got the copies.

The Hon'ble Mr. H. S. SUHRAWARDY: These copies were supplied to the honourable members before.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, let the Hon'ble Minister read the questions as well as the answers.

Mr. PRESIDENT: No, my suggestion is that you should bring your questions tomorrow and let Mr. Suhrawardy answer those questions tomorrow.

Point of Information.

Mr. LALIT CHANDRA DAS: Sir, the Hon'ble the Home Minister promised to give a day for discussion of the cloth situation of Bengal. Now, Sir, I submitted a Special Motion under rule 96 some 8 or 10 days ago which has been admitted by the Deputy President. For want of consent of the Hon'ble Minister of Civil Supplies it has not been finally decided when it will be taken up for discussion. Now, may I know from the Hon'ble Minister of Civil Supplies whether he would give his consent to the motion being discussed? Sir, I may inform him in this connection that the Hon'ble the Home Minister promised that a day would be given for it.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I do not think I promised that a day will be given for the discussion of Mr. Lalit Chandra Das's motion. What I said was that the Hon'ble Civil Supplies Minister will make a statement on the subject.

Mr. LALIT CHANDRA DAS: You seem to have forgotten everything.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, what happened is that the Deputy President himself had suggested that as the matter was important Government might consider to give a day for discussion of the cloth situation whereupon the Hon'ble Chief Minister said that he would consider the suggestion.

Mr. LALIT CHANDRA DAS: No, no. He actually agreed.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am informed that extracts of the proceedings have been sent to me. I shall look them up, and if it is found that a definite promise was made it will be honoured.

Mr. LALIT CHANDRA DAS: Sir, apart from the question of promise, I have already submitted a Special Motion regarding the cloth situation in Bengal. It has been admitted by the Chair, and I want to know whether the Hon'ble the Civil Supplies Minister will give his consent to its discussion in the House. The Civil Supplies Minister is a camping Minister. He is always found touring from one place to another, and so we do not get him here when we require him. Now that we have got him in our midst we want to know whether he is willing to give his consent to my Special Motion being discussed.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, the position is that I made a very long statement yesterday, and I find it has been printed in the papers. So the honourable members, if they choose to read the papers, will understand the cloth situation from that statement.

Mr. LALIT CHANDRA DAS: No, Sir, I ask that the matter should be discussed on the floor of the House, otherwise what is the use of this House?

The Hon'ble Mr. H. S. SUHRAWARDY: I would again request the honourable members who read newspapers and who regard newspaper reports as gospel truth to get full information regarding the cloth situation from my statement. If the matter is discussed on the floor of the House, it would take a lot of my time and I am very short of it.

Mr. SHRISH CHANDRA CHAKRAVERTI: When the Civil Supplies Minister goes out on joy-rides elsewhere, how is his time employed?

The Hon'ble Mr. H. S. SUHRAWARDY: On business.

Mr. HAMIDUL HUQ CHOWDHURY: On a personal explanation, Sir. Yesterday while in the course of my speech I mentioned something which I am now told is not correct. As regards the "Nationalist" newspaper, I am told it is no longer being financed by a certain Marwari gentleman as I stated in my speech yesterday.

Adjournment Motion.

Mr. HARIDAS MAZUMDAR: Sir, I have an adjournment motion——

Mr. PRESIDENT: Regarding your adjournment motion, Mr. Mazumdar, I am afraid it cannot be moved in view of the fact that there is already a resolution on the very subject and it is under discussion. Therefore, under the rules that adjournment motion cannot be moved.

Mr. HARIDAS MAZUMDAR: Which resolution, Sir? Has that been discussed?

Mr. PRESIDENT: That is under discussion.

Mr. HARIDAS MAZUMDAR: But my motion is a new thing altogether, Sir. If you will kindly read my motion in its entirety, you will find that it relates to the failure of the Government regarding the release of security prisoners in Bengal in view of the statement of the Hon'ble Home Member in the Central Assembly, namely, that "some Provincial Governments may be over-rash, others over-cautious. It is entirely left to them. They do not even ask the Centre when they release any detenues".

This motion embodies an old demand no doubt,——

Mr. PRESIDENT: Will you kindly take your seat, Mr. Mazumdar? I would draw your attention to the non-official resolution of Mr. Lalit Chandra Das, which runs as follows:—That this Council is of opinion that all security political prisoners taken under the Defence of India Rules and Act or under Regulation III be set free without any further delay.

Evidently, that resolution is a much wider motion than yours.

Mr. HARIDAS MAZUMDAR: But, Sir, my grounds are otherwise; they are based on the statement of the Home Member of the Government of India.

Mr. PRESIDENT: But you can always put forward that statement in support of Mr. Das's resolution.

Mr. HARIDAS MAZUMDAR: But my motion is quite separate, Sir.

Mr. PRESIDENT: Well, the Central Government may have said certain things but that does not create a new situation.

Mr. HARIDAS MAZUMDAR: Certainly it does, Sir.

Mr. PRESIDENT: It does not. The entire question can be discussed in connection with Mr. Das's resolution. I cannot, therefore, allow your adjournment motion.

Mr. HARIDAS MAZUMDAR: Sir, by the statement of the Home Member of the Government of India the fraud has been found out, the smoke-screen has been already lifted and the bubble has burst.

Mr. PRESIDENT: As I have already ruled, your adjournment motion cannot be admitted; but you can certainly make use of this statement in connection with Mr. Das's resolution.

Mr. HARIDAS HAZUMDAR: No, Sir.

Mr. PRESIDENT: What do you mean by "No, Sir"?

Mr. HARIDAS MAZUMDAR: Will you please allow me to explain my motion before you finally disallow it?

Mr. PRESIDENT: The point is that if you want to support Mr. Das' resolution, you can very well advance the statement of the Home Member that the responsibility for the release of political prisoners lies with the local Governments and that if they choose to release them they are at liberty to do so.

Mr. HARIDAS MAZUMDAR: It is not only an argument but a new situation has been created.

Mr. PRESIDENT: I am afraid, not. Now let me proceed to the next adjournment motion.

Mr. NAGENDRA NATH MAHALANOBISH: The next adjournment motion stands in my name. Sir, I beg to move——

Mr. PRESIDENT: Before you move your motion, will you please state your grounds in support of it?

Mr. LALIT CHANDRA DAS: Sir, before Mr. Mahalanobish moves his adjournment motion, may I say that in my resolution regarding release of security prisoners, the word "political" has been inserted after the word "security" which was omitted through an oversight?

Mr. PRESIDENT: Yes. That has been done already.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, the facts over which I beg to move my adjournment motion are briefly these: On the 14th March, 1945, a particular retail cloth shop got about 400 pairs of *saris* and *dhotis* for retail sale. The shop is situated at the junction of Rash Behary Avenue and Russa Road, and from early morning——

Mr. PRESIDENT: I am afraid that is not the motion to be now discussed. Your notice regarding Calcutta Corporation was received in this department on the 14th March and notice of this motion regarding *lathi* charge was received on the 15th. So the earlier motion regarding Calcutta Corporation should now be discussed.

Mr. NAGENDRA NATH MAHALANOBISH: Yes, Sir, I should have mentioned it before. The subject-matter of this motion is the threat of the Government of Bengal to supersede the Calcutta Corporation with a view to impose its will upon the Corporation of Calcutta which is a self-governing institution functioning within the four corners of the Statute. The question I beg to raise by this motion is that the Government's action in issuing directives under the threat of supersession for imposing the will of the Government on the Corporation——

Mr. PRESIDENT: The situation created by Government's directives—that is your point?

Mr. NAGENDRA NATH MAHALANOBISH: Unjustifiable threat by the Government of Bengal to supersede the Calcutta Corporation with a view to impose its will upon the Calcutta Corporation—that is my point.

Mr. PRESIDENT: Your motion runs as follows:—

"The situation arising out of the unjustifiable threat by the Government of Bengal to supersede the Corporation of Calcutta".

Mr. NAGENDRA NATH MAHALANOBISH: Not only that—"with a view to impose its will upon the Corporation, a self-governing institution acting within the limits of its statutory powers and duties. (Mr. HAMIDUL HUQ CHOWDHURY: Sir, the first part is all right: the motion may be

divided.) No, Sir, the whole thing is one indivisible motion. You cannot divide it into parts. The motive of the Government is to impose its will upon the Corporation——

Mr. PRESIDENT: The real issue is threat of supersession?

Mr. NAGENDRA NATH MAHALANOBISH: Yes, Sir. But it is not proper and it is illegal. It is with an ulterior motive that the Government want to impose its will upon the Corporation. It may be good or it may be bad: still the Corporation is entitled to exercise its duties as enjoined by law, and this interference, I submit, is illegal, improper and most unjustifiable.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I submit that this motion should not be accepted. Apparently, this motion was given notice of some time back. Since then the final directive of Government was sent on the 17th March and I am not aware that any threat of supersession is contained in the final directive. The Corporation of Calcutta has been asked to carry out certain duties for the health and welfare of the citizens of Calcutta and the Corporation has been asked to make financial provision in the budget for it——

Mr. PRESIDENT: May I have a look at the papers?

The Hon'ble Mr. H. S. SUHRAWARDY: Whether the Corporation will do it or not still remains to be seen. If the Corporation does it, there will be no question of considering this motion; if the Corporation does not do it, then Government will have to consider what action it will take in future. Therefore, I cannot see what possible discussion there can be on an alleged threat of supersession.

Mr. PRESIDENT: To cut short the discussion, may I suggest that let these two letters be placed before me and I shall see whether the situation has been altered by the second letter or not and what situation has been created by the Government letter. I would request Government to send these letters to me and in the meantime discussion of this matter may stand over.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, the notice of this adjournment motion was given on the 14th and today is the 22nd; it has been on the agenda for the last two or three days. In the circumstances, I think Government had ample time to make enquiries and there is no justification for Government to take time over it.

Mr. PRESIDENT: The Government are not taking time but the Chair is taking time to decide the question. The Government are maintaining that the threat has been withdrawn——

The Hon'ble Khwaja Sir NAZIMUDDIN: No, no.

The Hon'ble Mr. H. S. SUHRAWARDY: Government maintain that some directives have been sent to the Corporation. If it does not comply with them, Government will consider what steps should be taken with regard to the Corporation. The threat does not arise at this stage. It may quite well be that the Corporation will be superseded; but that is an altogether different matter. What steps Government will take depends upon what action the Corporation will take with regard to the directives.

Mr. SHRISH CHANDRA CHAKRAVERTI: So, Government admit that there was a threat of supersession.

Mr. PRESIDENT: That is why I would like to go through the two letters.

Mr. SHRISH CHANDRA CHAKRAVERTI: If it had been a private affair, it would have been a criminal intimidation, Sir.

Mr. PRESIDENT: Well, I shall waive the question of urgency of this motion. Let it be postponed now.

Mr. NAGENDRA NATH MAHALANOBISH: I bow down to your decision; but before I resume my seat, I beg to submit that the Hon'ble Minister is resorting to delaying tactics. The Government had sufficient notice of this motion. What prevented them from producing all the papers today?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, we have no objection to the motion being taken up today.

Mr. PRESIDENT: Well, it is for me to decide as to whether I shall admit it or not. Government may not object to the motion being taken up today because they have a majority.

Khan Sahib SULTANUDDIN AHMED: Not on the ground of majority but for the justice of the cause.

Mr. PRESIDENT: The point is that I must be satisfied whether this motion can be allowed or not.

Mr. LALIT CHANDRA DAS: Sir, will you allow us to state our point of view?

Mr. PRESIDENT: Yes, I shall give both sides opportunities to speak on it. Now, let us pass on to the next motion.

Mr. PRESIDENT: In view of the fact that an earlier adjournment motion has got to be kept pending, other motions also must wait.

Mr. NAGENDRA NATH MAHALANOBISH: Why?

Mr. PRESIDENT: I tell you why. Suppose an adjournment motion which stands in your name is admitted today it will get precedence over an earlier motion which has already been admitted, which cannot be done. In that view of the matter other adjournment motion must wait. That has been the practice in the past.

Statement of action taken on Resolution.

Mr. K. C. ROY CHOWDHURY: Sir, in accordance with the provision of sub-rule (2) of rule 95 of the Bengal Legislative Council Procedure Rules, I have the honour to place for the information of the Council the following statement regarding action taken by the Government on the resolution relating to encouragement of sugar industry, both in cottages and in small factories, that was passed by the Council on the 19th May, 1944:—

"The development of the sugar manufacturing industry on sound lines in all its aspects in this province has been receiving the serious attention of Government in consultation with the Bengal Sugar Advisory Board and with this end in view two Sub-Committees have been set up under the aegis of the Board—one to deal with the agricultural aspects and the other with the industrial aspects of the industry. Both the Sub-Committees are at present engaged in formulating definite measures for the removal of inherent handicaps from which the industry now suffers, viz., inefficient varieties of cane, irregular transport facilities, inefficient production methods, etc. Besides, the following other measures have been initiated to that end:—

(*i*) With a view to collect detailed and reliable data regarding the sugar industry carried on by the small open pan factories as well as by gur industries, a special staff is now being employed by the Board to make necessary investigations into and submit a detailed report on the existing position and the measures that may be necessary for improving the prospects of the industry.

(*ii*) Since the progress of the industry depends on the supply of good and sufficient cane, the Agriculture Department, on the recommendation of the Board, is now following a considered programme of seed distribution in all districts and further the question of zoning of cane areas between the small-scale factories and large factories is now under consideration so that the smaller units may not be handicapped by unfair competition in the matter of cane supplies.

It is hoped that, by the initiation of the measures as detailed above, appreciable improvement will be effected in the industry both in cottages and in small factories, in this Province."

Non-Official Resolutions.

Mr. PRESIDENT: Now, we pass on to the Non-official Resolution. The motion of Mr. Lalit Chandra Das is under consideration.

Mr. SHRISH CHANDRA CHAKRAVERTI: I beg to support the resolution moved by my friend Mr. Lalit Chandra Das. But I must make it clear that I characterise my support as a demand on the part of our party and that of the citizens of Bengal for the release of political prisoners. I want to deal with the legal or rather the criminal aspect of the question, namely, that political prisoners have been arrested and kept in prison under the criminal jurisdiction of Government. Sir, it is well known that the penal codes of all the countries throughout the civilised world have been framed to punish persons who disturb the social structure of the country. It is really to suppress the anti-social activities of members of a society, i.e., of undesirable members of a society that the penal code of a country is framed. I wish to ask the Hon'ble the Home Minister whether these political prisoners are guilty of any anti-social activity. Are these persons in any way harming the present structure of society which the Home Minister is so anxious to preserve? Of course, I know that the Hon'ble Home Minister has received his training in the great school of the Bureaucracy started by the European element in the administration: he has turned out to be one of the finest examples of that today and he has in virtue of those attainments put all these persons under arrest. I am forgetting perhaps the Hon'ble Home Minister's excuse that it is not he who has put these men into prison; rather it is Mr. Fazlul Haq's previous Ministry that has done so. He always cites this in his support, that it is not his fault if so many persons are still in detention. If that is so, then he is perpetuating a wrong committed by a previous Ministry. I must remind him, however, that this very Mr. Fazlul Haq had the candour and sincerity to proclaim that he had no hand in the arrest of these men and keeping them there. It is the Secretary of the Home Department and the Governor who are responsible for this. He was not even consulted but entirely ignored. On account of his declaration publicly in these matters vengeance was wreaked upon him: he was hustled out of the ministry and the Hon'ble Sir Nazimuddin was ushered in Mr. Fazlul Haq's place. Is it not a fact? I am putting the same question to him today. Does he want to say that he has kept all these persons on behalf of the country or on behalf of the interests that he is representing? I concede, of course, that Sir Nazimuddin is as much a popular representative as I am here. He has been elected by the people; but is he serving the people's interests by keeping them in prison? Is he preserving the Indian society, or for the matter of that, Bengal society from the ravages of these political prisoners? And is that the only reason by which he is actuated? Will he please tell us and the House and the outside people who are waiting for his answer, why is it that he is keeping these persons still in jail? I wish him to make at least a declaration today like Mr. Fazlul Haq. I know that the Hon'ble Home Minister is sufficiently sincere in his professions and is an honourable man and I do not think that he will be

backward in saying openly whose interest he is serving by keeping these persons in jail. If these political prisoners have harmed anybody, they have harmed the British domination here and they have harmed the foreign elements here. They have done no harm to the people of the province. On the other hand, they have made great sacrifice for the sake of the freedom movement. Indeed, but for their sacrifice you would not have been on the *gaddi* today. It is on account of the accumulated work, sufferings and sacrifice of these very political prisoners whom you put to prison that today you are on the Ministerial *gaddi*. In any other civilised country there would have been a different opinion about these prisoners. So I say, you cannot call them or class them as criminally-minded persons. You cannot call them anti-social elements: they are rather pro-social. They are the vanguard of the freedom of the country, however much you disagree with their methods. We cannot question their motive: their motive is clear and transparent. They have staked their all—even their lives—for the purpose of bringing political salvation to the country of which our friends are taking advantage. Another thing, if he is masquerading as a popular Minister and at the same time he is serving the purpose of foreign domination here, then not only he is harming the country, not only he is harming the young men and women behind the prison bars but he is also harming the cause of the country before the outside world. He is giving opportuntiy to the people in England—to the people of the outside world—to say: "look here, these things are being done by your own men—these things are not done by the Britishers. Those of your people who are enjoying so called provincial autonomy, they are doing these things and we are not responsible for their work".

The next point I want to deal with is the treatment meted out to these prisoners. The honourable mover has given details and I need not repeat them. He has shown at least that the treatment is neither humane nor is it according to the standard of the civilised countries of the world. It is a matter of recent occurrence that even a man like Hess,—the right-hand man of Hitler, who is supposed to have caused wide-spread devastation in the world—is not only supplied with all creature comforts but all sorts of luxuries—he is served with good fishes for which he has special liking and served with cars for joy-rides here and there for his recreation. And what is done in our country? These men who have not done so very great harm—and probably no harm compared to the harm that has been done by Hitler and his deputy Hess—they are still being treated badly, whereas Hitler's deputy is being treated with all sorts of comfort. We would not mind if this treatment is accorded by the foreign element in the administration—if any foreigner would have given us all this trouble and inconvenience; but it is the doing of our own persons who pose here as popular representatives, lending themselves to the foreign elements here and serving their cause to the discomfort of our own people. When the history of Bengal's struggle for independence will be written, the part which the Hon'ble Sir Nazimuddin has played therein will give ample grounds for the posterity to curse his memory.

With these words, I support the motion.

Mr. SACHINDRA NARAYAN SANYAL: Sir, I beg to support this motion moved by my friend Mr. Lalit Chandra Das. Sir, several motions have been moved and several motions have been passed, several questions have been put, but I do not like to go into them and I do not want to take much time of the House. Simply may I remind the Chief Minister of his promises he made at the time of his formation of the Ministry. They were published in the papers. One of those promises was for the release of political prisoners. He promised to try his best in this regard but may I ask what he has done up till now? I think nothing has been done. He had also made another promise which I do not want to mention today. I

shall get an opportunity tomorrow when another motion will be moved by Mr. Lalit Chandra Das in regard to that promise. I simply want again to remind him of those promises. Sir, I had to resign from his party most reluctantly for the non-fulfilment of those promises. But still I request him to keep those promises and at least this is one of them.

With these few words, I support the motion moved by my honourable friend Mr. Lalit Chandra Das.

Alhadj Khan Bahadur Sk. MUHAMMAD JAN: Mr. President, Sir, I beg to support the resolution moved by Mr. Lalit Chandra Das though I know that in spite of the pathetic details supplied by him regarding the very sad and bad state of the health of some of the prisoners including specially some of the women prisoners, the Government as at present constituted with a packed majority in the House will pay little attention to our remonstrances. It is a matter of common knowledge that the League Ministry in Bengal, as in other provinces wherever it has come to power, is callous and indifferent to the sufferings of the people and cannot toleralate those who stand for their political conviction and want to serve the community by their sacrifices. Even this is the attitude of no less a person than the Quad-e-Azam. India's best sons, namely, Pandit Jaharlal Nehru who has sacrificed everything and Maulana Azad who has done immense service to Islam, are regarded by Mr. Jinnah as enemies of the country. There is a vast difference between the League Ministry and the Congress Ministry. One is out for opportunity for loaves and fishes of office, while the other is for service without the slightest regard for office, power and position. The other day the moment Dr. Khan Saheb took office, he ordered the release of all Congressmen, which Sirdar Aurangzeb Khan in spite of big claims could not do or would not do in course of the eighteen months that he held this august office. Not to speak of Dr. Khan Saheb, who is a full-hedged Congressman, even Khan Bahadur Moula Bux refused to accept ministership if Congress leaders were not set free and he succeeded in his ambition.

This was too hot for the Muslim League which in imitation of the Congress has set up a High Command and which ordered immediate re-shuffling of the Ministry. Sir Ghulam Hidayatullah obeyed this mandate not so much to please Mr. Jinnah as to please himself with Premiership, regardless of his promise in writing to Khan Bahadur Moula Bux that he will stand by him in all circumstances. Though there are many Khan Sahebs and Khan Bahadurs in Bengal, and this House abounds in both, there is none of the calibre of the Khan Saheb of North-West Frontier and Khan Bahadur Moula Bux of Sind. Instead, we have Sir Nazimuddin as the Premier of our Province, who is also the Home Minister and whose only ambition is to serve the Bureaucracy at all costs, even if it means the arrest and detention of thousands innocent young men and women of his Province. In his Cabinet, there are others some of whom are very proud, others obliging and courteous. But either proud, insolent, or obliging and accommodating, they are all agreed that they must be in power, no matter what may happen to the people. The head of the Province should not be displeased and they should not lose their lucrative jobs, and therefore as long as he is not inclined to the release of political prisoners they must oppose it. I am sure that my friends on the other side of the House, supporters of the Government, are also determined to oppose resolutions like this on all occasions and though they have not any cogent reason to put forward in justification of their attitude. Yet at the time of Division they will meekly follow their Leaders in the "Noes" Lobby in joyful mood as if a great service to Islam is being done by them. They should realize that by supporting the repressive policy of the Government what harm they are doing not only to the present but also to future good relations between the Hindus and Mussalmans who are to live not only in Bengal but in other parts of India where they are in a most negligible minority. If it may so happen that Mahasabha Communal Ministry in United Provinces or Central Provinces is

formed and if they with the help of a Baroda Pain, or a Goswami,—politically regenerate, economically bankrupt and socially outcast, who are now eulogizing the liberal spirit of Sir Nazimuddin in the matter of release of political prisoners,—carry out wholesale repression of the Mussalmans, not for any communal trouble, but for political conviction, what will be the reactions not only of the Mussalmans of those provinces but also of those who now support the Government? After all, Hindus have feelings and as the most disciplined community they may not give vent to the pain and agony, but sometime or other when they are carried away by their passions so long checked, the Mussalmans are sure to suffer terrible losses for the misdeeds of a few interested mischievous people in Bengal.

The other day the Hon'ble the Home Member to the Government of India said that "some Provincial Governments may be over-rash, others over-cautious. It is entirely left to them. They do not even ask the Centre when they release any detenus". With due respect, I will submit that his statement was incorrect or at least fallacious, as popular Governments under the auspices of the League and set up by the Governor, as in Bengal, may be free from taking advice from the Home Member of the Government of India, but not free from susceptibilities of the Governor who uses his special prerogative whenever there is a question of giving any relief to any political prisoner or detenu. They are not free agents. There is no denying the fact that while Mr. Casey has given full authority to his Ministers to do whatever they please with the finance of the Province and has nothing to do with the mismanagement of each and every department under the popular Ministers, he uses his four senses before any Political is released. Hundreds of thousand of persons may die of famine and malnutrition, and in spite of the import of large stock of cloths in Bengal, there may be no cloth for covering dead bodies; but His Excellency cannot countenance the release of a single political prisoner, even women, suffering from phthisis, paralysis, and other diseases, unless he is fully satisfied that they will never pass a resolution which may endanger the safety of British Empire. But the funny side of the picture is that the Home Minister, whenever he speaks on the subject, takes all blame upon his shoulder because he is afraid of losing the favour of the Governor. Thus, for the sake of petty personal advantages, popular Ministry is not only detaining many innocent youngmen and women of Bengal, but also defending their ignoble actions to hide their greed of office. They are doing immense harm to their countrymen, to their own community and over and above they are bearing odium of the whole world that Mussalmans are not only incapable to do anything for their country but also oppress the Hindus who are alone fighting the freedom's battle against the Britishers for their arrogance and great Muslim Community for their ignorance.

Mr. HARIDAS MAZUMDAR: Sir, I accord my wholehearted support to the resolution that has been moved by my friend Mr. Lalit Chandra Das. But I should mention that I too had a similar resolution standing in my name, namely, that this Council is of opinion that the Provincial Government should immediately take necessary steps for the release of the political prisoners, including the M.L.A.'s who are being detained as security prisoners under the Defence of India Act and Rules made thereunder.

The Hon'ble Home Minister in May, 1943, announced that whether the Congress supported him in the Ministry or not, a liberal policy would be followed in the release of political prisoners. Sir, much water has flowed down the Hooghly since then and there has taken place a vast improvement in the war situation. Tokyo is burning, Mandalay has fallen and the German army which was operating in the Black Sea is now engaged in defending Berlin. But still thousands of political prisoners are rotting in jails or in internment without a trial. The Finance Minister sometime ago described Srijut Sarat Chandra Bose as a prince among the prisoners.

But to use this appellation in respect of one who is decidedly a prince among men is "damning with faint praise". Every Bengalee considers Sarat Babu innocent of any charge that the Government may bring against him and yet this gentleman to suit the whim of Government, Provincial or Central, or both, has been detained for a pretty long time to the great financial loss of his family and the patriotic services to his country. To pay an allowance of Rs. 1,000 per month to one who used to earn more than all the Ministers put together is but tardy justice. Has the Ministry made any representation to the Central Government that the continued detention of Sarat Babu in unnecessary for the safety of the realm? Some of the Hindu members of the Cabinet, perhaps in the exuberance of feeling generated by their appointment to the tempting jobs of Ministers, assured us that if they could not release him they would at least bring him to Bengal. Two long years have melted away, but has that promise been fulfilled? Yet the Finance Minister certifies that a liberal policy is being pursued by his chief. If this be liberality, the word must have changed its meaning in the modern political lexicon of Bengal. The history of political sufferers in Bengal is a long one; but I have no hesitation in saying that no one has been so much sinned against not only by his adversaries but also by his lieutenants and followers as our Sarat Chandra, a gem of the purest ray serene. Mr. Barada Prasanna Pain wrote to his erstwhile leader that as soon as the latter so desired he would resign from the Cabinet. As reported in *Basumati*, Sarat Babu has since written to His Excellency the Governor that Mr. Pain should resign. In reply to a question of mine the Finance Minister says that he is not happy over the question of the release of political prisoners. If he really so felt, the straight-forward course for him and his colleague Mr. Pain was to resign on the single issue of Sarat Babu's release and the release of other political prisoners. The salaries and emoluments which he and his colleague Mr. Pain, elected on Congress tickets, are drawing now must be tainted money—tainted with the suffering of Sarat Babu and other innocent political prisoners ailing in jails and some enduring the torture of mosquito bites for want of curtains, denied by a Government which spends crores on wild goose chase. In Bengal a coolie uses a mosquito curtain but it is denied to these political prisoners. In the case of Mr. Pain, we know that he used to earn more than what he draws now. What must be the reason for his sticking leech-like to the post, demonstrably at the sacrifice of his principle? Who can solve this mystery? The Government should either try this large number of persons in an open court of law or set them at liberty. We know how in the past men like Aswini Kumar Dutt and Krishna Kumar Mitra were deported without a trial. The Executive here out of sheer vindictiveness cannot tolerate such men oppose with tangible force their administrative policy and take the short-cut of detaining or imprisoning them. The police, in order to save themselves work, put the innocent and the guilty in the same category and recommend mass imprisonment as Hanuman, the hero of our mythology, unable to distinguish the plant *Visalyakarani* brought the mountain *Gandhamadan* which must contain the plant along with numberless animals. This method of turning India into a vast concentration camp, as Mrs. Vijaylakshmi Pandit says smacks of barbarous methods worthy of the Middle Ages and besmirches unnecessarily the name of Britain in countries like America. Some prisoners are suffering from diseases like T. B. and considerations of humanity demand their immediate release. The case of Aswini Gupta is in point: seven of his ribs have been taken out and one lung is useless: still he is detained for the sake of security and safety of the country! The Home Minister has said that the family allowance granted to the prisoners is equivalent to the amount which they earned before their arrest. But most of these prisoners were arrested long ago and in the meantime the value of a rupee, as stated by Sir Ziauddin Ahmed in the Central Assembly, has depreciated to five annas. As I had occasion to state here the other day, European and Indian mercantile houses have granted an increase of 50 to 60

per cent. to their Indian employees since the beginning of war. Will the Hon'ble Minister deal out even this inadequate measure of justice? The release of prisoners who are M.L.A.'s at least to attend the sessions of the legislature, is an urgent necessity which I have emphasised here and outside times without number. Do political considerations stand in the way, specially in view of the thin ice on which the Ministry is skating? An increase of a few votes of the Opposition may capsize the Ministry but at a time when astronomical figures adorn the budget the constituencies which these M.L.A.'s represent have a right to be heard on the principle of "no representation no taxation". They should at least be brought to the Legislative Chamber under police custody to take part in the proceedings and record their votes. The presence of these long-suffering men may serve as a corrective to such members of the Opposition as, according to my friend Mr. Hamidul Huq Chowdhury, have subterranean connection with the Ministry. The atmosphere of perjury, forgery and chicanery prevalent in Bengal at present might thus have much improved.

I would appeal to the European group to exercise its influence in this matter. Sir Oswald Mosley, a man of professed Fascist sympathy, has been released in spite of the opposition of Labour members of the Parliament. The Rumanian Minister has found shelter in Britain against the wishes of Russia. All this is in keeping with the British traditions of personal liberty. Britain had a large hand in abolishing slavery in the world. It is a fundamental principle of British Jurisprudence that a person should be considered innocent until he is proved to be the contrary. The vast European weightage in our legislature will be justified if the European M.L.A.'s and M.L.C.'s will try to introduce the spirit of British freedom into the Government of our country. We have got a large police staff here whose ability in tracking the terrorist and the revolutionary, if not the hoarder and the profiteer, is unquestioned. The number of political prisoners is not so large as cannot be closely looked after by the custodians of law. Under the circumstances, a cause of considerable dissatisfaction in the public mind can be removed only by a little robust thinking. Our European colleagues here will help considerably in establishing cordiality between the two races by insisting on justice being done to men who are detained only because the Government do not take the trouble of governing and choose short-cuts.

Sir, I have already stated that in view of the recent statement made by the Home Member of the Government of India, Sir Francis Mudie, it is left to the province entirely to release the political prisoners. Now, Sir, if the Chief Minister would implement the promises or the assurance he held out to the public, to the people of Bengal, and set them at liberty as soon as possible,—I think the time has come when he should lose no time at all —he would do well. Sir, this Government has failed to do little justice to the people and Bengal will never forget these things and when time will come, all the blame will be placed on the shoulders of this Ministry. I request the Home Minister that he should in the course of this week set at liberty all the M.L.A.'s and see that they may join the sittings of the House forthwith.

With these words, I beg to support the motion moved by my honourable friend Mr. Lalit Chandra Das.

Mr. HUMAYUN KABIR: Mr. President, Sir, I rise to support the motion which has been moved by my friend Mr. Lalit Chandra Das. At this fag end of the debate, there are not many new arguments to be advanced. The case for the release of the political prisoners has been stated eloquently by many speakers of this House. I noticed the studied silence of members of the Government Bench. This is evidence that they also feel that the justice of the case for the release of political prisoners is so evident that no opposition to it can be advanced by any member on that

side. I also find that my honourable friends on my left, namely, the members of the European Party have kept studiously silent on this question. In the past, they have at times intervened in the debate, but I believe that there will be no intervention in this debate so far as the European Party is concerned, and especially in the light of what has happened recently.

I would ask the European Party in this House and in another place in this Province to take a leaf out of what has been done by the European Party in the Assam Legislature. The Leader of the European Party in Assam, speaking on behalf of his Party, associated himself with a general desire that political prisoners should be released. In doing so, he did more for establishing cordial relations between Europeans and Indians in this country than any weightage they enjoy. In spite of the remarks of my friend, Mr. Haridas Mazumdar, I think the weightage which has been given to the European Party is altogether unjustifiable even though they should support a demand like this, and even though they should in certain cases stand for the popular demand. Nothing can justify a weightage which is probably in the region of one thousand per cent. or thereabout. In any case they will certainly be rendering the greatest service towards the improvement of Indo-British relations, if the European Party here associate themselves, like the European Party in the Assam Legislature, with a demand for the release of political prisoners.

I have a few special remarks for the Hon'ble Khwaja Sir Nazimuddin. I think I would not be exaggerating if I said that among the front rank men in the Muslim League, there are few who command the confidence and respect among the public as he does. There is general regard for what he says. He has given evidence that if he is convinced about a thing, he will take up the case. I would ask Sir Nazimuddin to remember the declaration which he made about two years ago on the assumption of office. He made an unqualified declaration that whether he received support from the Congress Party or not his Ministry was committed to a policy of release of political prisoners. He qualified it by saying that such release should be consistent with the question of public safety of the province. I ask him whether the situation has not changed and changed sufficiently today to allow release of all political prisoners, and especially prisoners who have been detained without any semblance of trial.

Reference has been made again and again to the fact that among these political prisoners are security prisoners. These have been detained without any reasons being advanced for their detention. Beyond a general apprehension about uncertain political condition, there was nothing tangible against them. Speaker after speaker have pointed out that the military situation has been transformed almost beyond recognition. The political situation has greatly changed. In view of these changed circumstances, and in view of what is happening in other areas of India, I think that the Hon'ble Khwaja Sir Nazimuddin can have no excuse today for not implementing to the fullest the assurances he held out when he first accepted office as Chief Minister about two years ago.

I made a reference to Assam a moment ago. I would ask Sir Nazimuddin to remember what has been done by the Premier of Assam. A policy of liberal release of political prisoners has been followed in Assam. So far as the North-West Frontier Province is concerned, one of their first acts has been the release of all political prisoners. I would ask my friends on my left, viz., the members of the European Party, to remember that this was done by a Government which was formed only a short time ago. The Frontier province has often been regarded as one of the most politically conscious areas in the country. What can be done in the frontier province can surely also be done here. If the Governor of the Frontier Province did not feel that the heavens would fall or the British Empire would collapse tomorrow simply because some political prisoners or all the political prisoners were released, there is no reason to think that the British Empire would

collapse tomorrow if political prisoners were released in Bengal also. I may in passing refer to the British Empire and say that if it does come to an end, nothing would give us greater pleasure. The day that the British Empire is transformed into a real commonwealth of Nations, that day would be a day of pride and pleasure not only to the Britishers, but to all those who are now associated with the British Empire. It has been said, Sir, the British Empire is in a process of gradual transformation into a Union of mankind. Let the basis of Empire be transformed by the release of political prisoners who have contributed so much towards the awakening of political consciousness in this country.

Sir, I was speaking of Assam a moment ago. There the premier is about to release political prisoners. I am sure, Sir, that the Hon'ble Khwaja Sir Nazimuddin can do what Sir Md. Saadullah has been able to do. Take also the case of Sind. Under the impact of developments there, into the details of which I need not enter, there has been liberalisation in the policy of release of political prisoners. Though the Azad-Muslim coalition and Government in Sind did not function for more than a week, yet they were able to release some prisoners and to introduce certain liberal innovations in the policy of Government. Even after that coalition came to an end, and a more or less purely Moslem League and Hindu Mahasabha Ministry has come into power in Sind, even this new Ministry of Sir Ghulam Hossain Hidyetullah has found it possible to follow a liberal policy of release of political prisoners. Sir, what prevents this Government and Sir Nazimuddin, who made generous promises when he took office, from carrying out the assurances that he held out at the time?

I am in this connection reminded of the speech made by the Hon'ble the Finance Minister in replying to the general discussion of the budget. I believe that members of this House will agree that his speech was one of the best arguments for the general release of political prisoners in Bengal today. The Hon'ble Finance Minister said that he was personally most unhappy about the situation with regard to the political prisoners. If he is really unhappy and was really sincere when he said so, he could certainly, as an important member of the Cabinet, persuade Hon'ble Khwaja Sir Nazimuddin to pursue a more liberal policy. And even though the Hon'ble Mr. Goswami tried to qualify his statement by saying that Sir Nazimuddin was doing his best, it would seem that the certificate which he gave to the Hon'ble Khwaja Sir Nazimuddin was more formal than sincere or real. These are also considerations that Khwaja Sir Nazimuddin ought to keep in mind.

Mr. Goswami did not stop here. He went on to say and he admitted that there was general corruption in the country today. Nor can he deny that the political prisoners are some of the finest elements in society. If they were free today, they could be instrumental in checking the corruption that is prevalent. When it was argued on behalf of the opposition that even as a measure of improvement of the condition in the province, as a measure of checking corruption, the political prisoners might be released, the Finance Minister seemed to acquiesce by silence on the point.

We find that Sir Nazimuddin had made some definite promise. I ask him to answer how far he has been able to carry out the assurances which he held out then. I would also ask him to remember the developments that have taken place in him since the time that he was in Opposition. I think members of this House will generally admit that the Khwaja Sir Nazimuddin of 1940 and earlier and Khwaja Sir Nazimuddin of 1940-43 and onwards are different persons, in certain respects. Opposition has proved a salutary curative, so far as he is concerned. Sir, I have often felt that if the Hon'ble Khwaja Sir Nazimuddin were ever a security prisoner, if he ever felt some of the sufferings of a political prisoner, if he felt some of the restrictions which a political prisoner has to suffer, if he had to share some of the feelings which a political prisoner has to feel

when he is shut up in a prison for no criminal fault, he would be able to understand better the problem of the political prisoners of Bengal. If the Hon'ble Sir Nazimuddin were in their position, if he were in the prison, for political reasons and not for any crime or moral turpitude—if he were in prison for political reasons and deprived of his liberty for a year, he would perhaps show greater sympathy with the political prisoners, he would feel for these prisoners who have staked their liberty, staked their all, for the freedom of the country. He would feel that these political prisoners deserve greater sympathy than they have received at his hands up till now. Sir Nazimuddin has some imagination. Even without personal experience, he should be able to visualise the feelings and aspirations of these political prisoners. He should also realise the condition which obtains today in Bengal, when corruption is rife on all sides, when the political standard has been lowered as a result of the withdrawal of some of the best elements of the political community. He should therefore view the case of these political prisoners as he would have done if he were one of them.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I find that the Opposition members have been able to deliver very eloquent speeches on this resolution: some of my friends opposite rose to the highest pitch of eloquence when speaking on the subject. I have all along recognised the fact that there is a strong feeling about the release of the security political prisoners. But it is unfortunate that some of the members have forgotten the past history and the reasons for which these prisoners are being detained and why so far it has not been possible to release them in larger numbers. I may incidentally mention here that release has been going on all along. One thing requires explanation, as very few members either realised it while speaking or were not conscious of when they compared the release of security prisoners in other provinces with the release of the security prisoners detained in Bengal. They forget that in other provinces nothing like the class of political security prisoners detained in Bengal does exist.

Mr. SHRISH CHANDRA CHAKRAVERTI: Are the crimes different in other provinces?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the unfortunate part of Mr. Shrish Chandra Chakraverti is that he considers these prisoners as criminals——

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir Nazimuddin has entirely misunderstood me. I never said that. He must have considered them criminals and that is why he keeps them as prisoners. I have not put them in the prison. I have spoken for their release.

The Hon'ble Khwaja Sir NAZIMUDDIN: Now, Sir, I will explain why they are detained. Let me first explain the difference and distinction between the political and security prisoners of this province and the political and security prisoners of other provinces. In the other provinces, all those persons, who belonged to the legitimate Congress or Congress Socialist Party and who took part in the disturbance of August, 1942, were arrested. They were arrested because they were supposed to have started the disturbance under the orders of the All-India Congress Committee and the Working Committee. Indeed, in those provinces the Provincial Governments arrested all those persons whom they considered to be leading and important persons in the local Congress organisations. In Bengal the number of people arrested on that account was much less, namely, if there were 10,000 arrested so far in other provinces, only 1,000 or 1,200 were

arrested here from among the Congress workers for the August disturbances. In Bengal there was another class of prisoners who were arrested not so much because of the August disturbances but because of the advent of Germany into the war and the deterioration of the military situation in the frontiers of India. These persons belonged to the terrorist organisations and I have always distinguished them from the legitimate members of the Congress Party. In Bengal there are a large number of persons who have spent perhaps the greater part of their lives under detention. From time to time, there have been complete release of all these persons. But it has also been found that after release of these persons there have been recrudescence of terrorism and they had to be put back into prison. In spite of the August disturbances, my humble self, who has been described as full-blooded bureaucrat having received my training under the British bureaucracy and so on and so forth, during my term of office as Home Minister, set at liberty more than 2,000. At the time when war was declared, I was in close touch with most of the leaders of these parties and found that they themselves apprehended that immediately on the declaration of war they would be arrested. Nothing of the kind happened. It was only later on when certain activities on the part of some of these organisations were manifest that a limited number of these leaders from the various groups were arrested and after I went out of office and Japan entered the war, a large number of persons of these terrorist organisations were put under arrest and made security prisoners.

Sir, at the present time out of 12 or 15 hundred legitimate Congressmen who had been kept in detention, I believe, not more than 50 are under detention, and on comparison with all other provinces where Ministry has not been functioning except the small provinces like North-West Frontier Province, Sind or Assam, it will be found that the number of Congress prisoners in Bengal is the least. But at the same time we have got between 1,000 to 1,200 terrorist security prisoners. As far as the Congress security prisoners are concerned, who were arrested because of the August Resolution of the Congress, their number is now not more than 50. The number of terrorist security prisoners as I said, is between 1,000 to 1,200——

Mr. HUMAYUN KABIR: Are they terrorists or supposed to be so?

The Hon'ble Khwaja Sir NAZIMUDDIN: Well, that subject has been discussed times without number in this House for the last 20 years, and if the honourable member does not know it yet, it is no use my taking the time of the House over this matter. It is recognised that they are so. It is no use my making a statement on the subject. I generally call them members of the subversive organisations. Now, Sir, why is it that these prisoners are kept under detention? Mr. Shrish Chakraverti was very eloquent and put a very definite question. The members of this House know that there were a large number of people in this province who held the opinion that the Allies would be defeated and that one of the ways of getting rid of the British Imperialism would be if the Japanese were victorious. (SEVERAL HONOURABLE MEMBERS ON THE OPPOSITION: We never held such view.) Well, I said that a large number of people in this Province held the opinion—I did not say that the members of the Opposition held such views—that the Allies were going to lose and that Japan will be victorious and thereby India will gain her freedom. Well, I leave it at that, and I hope these comments will be noted in the Papers and the public will judge. Now, Sir, it is purely a question of opinion. Persons may easily hold the view that with the assistance of Japan they will be able to get the freedom of India, and for that expression of opinion they can be called patriots. On the other hand, there are others who may hold the view that India cannot get her freedom through the Japanese victory.

(Mr. HARIDAS MAJUMDAR: No, no, we do not want freedom from any one except by our own efforts). Well, Sir, I find that members on the other side are beginning to feel uncomfortable. (Mr. HARIDAS MAJUMDAR: Nothing of the kind.) On the other hand, Sir, there are those who hold the view that India cannot be free through Japanese victory, as it would increase the period of servitude of India and that therefore those who hold the contrary view, namely, that India's freedom can be obtained through Japanese assistance are doing a great disservice to India's cause and are an enemy to the province and to the country, and as such should be kept under detention. As I said, there are two points of view and I have mentioned them. Now, these persons who have been detained have got a past history of their own; and they have certain very dangerous affiliations. Just before Mr. Subhas Chandra Bose left this country most of these subversive organisations had accepted his leadership. (Mr. HARIDAS MAZUMDAR: But Mr. Narendra Narayan Chakravarty was a great lieutenant of his, and so also Mr. Tulsi Chandra Goswami). Yes, as I have said, Sir, all these organisations had begun to be active and there was every likelihood and even danger that the war effort might be sabotaged by these organisations during this great critical period when Japanese invasion was imminent. I do not, of course, claim that if these persons were released they were sure to take the help of the Japanese. On the contrary, it is quite possible that a large number of them (who had already declared to that effect) would fight the fascist power. It is quite possible that they would be much more helpful in furthering the war effort than those who were free now and belonged to the congress; their policy might be definitely in support of the war effort because they do not believe in non-violence and they would not perhaps have scrupled on that ground in giving direct assistance to the war effort. But I would ask the House and the public to consider for a moment the position of a Home Minister. Here are these people with their past history and past record and affiliations and loyalties. Can he at this time or can any one at this time, when the province is likely to be invaded, when there is danger of invasion, can any one I say again take the risk of allowing these persons freedom? (Mr. LALIT CHANDRA DAS: But the time is vastly changed now, and the danger is passed.) Can any one give them freedom and let them do things which it would be almost impossible to stop? One honourable member speaking today said that the number of such men is very small and that therefore they could be easily looked after; but, Sir, it is not unknown that for years none of them could be arrested in Chittagong when they went underground and my friend Mr. Kabir will bear me out that when the Communist Party went underground (now their members are released), at least for two years we could not arrest one of them. The police could not arrest one of them and they were very active. It is only when the Government lifted the ban and gave assurance that they would be allowed to help the war effort, then and then only they appeared before the public. They were very active in Bengal and even in Calcutta and yet we could not lay our hands on them——

Mr. SHRISH CHANDRA CHAKRAVERTI: What about the Chittagong armoury raid prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: How can I take the risk of somebody who is in detention? I can only believe those who are free; it is so easy to make a declaration for the purpose of release. This question, I know definitely; because this House discussed it more than once. It is quite possible that the Chittagong Armoury Raid case prisoners when released would be engaged in anti-fascist activities. But it is not possible for Government to take the risk during a time when the safety of this province is at stake. Then, Sir, there are certain class of prisoners whom Government under the general policy of release may release if they give an undertaking. But they would not do so unless the organisation to which they

belong accept the terms of the undertaking. I realise it is quite possible that the Armoury Raid case prisoners—if they are released, they may help the war effort. But it is not possible to take the risk. The risk is very great and we cannot take that risk at this critical time. We know the anxiety in which last year the people of Bengal passed their days when the enemy was on the Indian border. They have now been driven——

Mr. SHRISH CHANDRA CHAKRAVERTI: It is Britishers with the help of Americans who drove them and not you.

The Hon'ble Khwaja Sir NAZIMUDDIN: And I am continuously reminded about my promise to release the prisoners. I would only say that at the time when I made that promise the general impression was that the military situation in the Burma front would be much better—that was in 1943. As a matter of fact, it was expected definitely that Akyab and Rangoon would be taken and on that basis I felt that it would be possible to have a liberal policy of release. But I made it clear then that I would make every effort to release them, provided it was consistent with the safety of the province. As the members of the House will remember, due to deterioration of the military situation in the Arakan and Imphal fronts, we could not take that step which might have been possible if there had been success in the same manner as it is today. I think, therefore, that it is obvious that as far as my promise is concerned, there has been no default on my part and that the circumstances were such that it could not be implemented. I have got nothing further to say.

Mr. LALIT CHANDRA DAS: Sir, you will please remember that so far as the Hon'ble the Chief Minister is concerned, his Ministry came into power in April, 1943. He knew the conditions of Bengal. He knew also that at that time there was no terrorist organisation in Bengal. Nothing of the sort. (At this stage the Hon'ble the Chief Minister left the Chamber.) Well, Sir, the Chief Minister is going out of the Chamber and I am replying to his arguments. (Mr. NAGENDRA NATH MAHALANOBISH: It is a discourtesy to the House.) Sir, it is no use replying now. As a protest I refuse to proceed further with my speech.

Mr. DEPUTY PRESIDENT: I have sent for the Hon'ble the Chief Minister.

(There was long silence in the House for a few minutes.)

Khan Sahib SULTANUDDIN AHMED: Sir, is there any rule by which we shall only sit down without transacting any business? Is there any rule by which a Minister is to wait for the reply?

Mr. DEPUTY PRESIDENT: Yes, there is the rule of common courtesy to the House and also the rule of Parliamentary etiquette.

Mr. LALIT CHANDRA DAS: Sir, when the Hon'ble Khwaja Sir Nazimuddin formed his Ministry in April, 1943, he knew the condition of Bengal fully well, and knowing this fully well he gave the promise that the policy and the principle which he would pursue in the governance of this Province would be to release all the political prisoners as fast as possible and at the earliest opportunity. He surely believed then that there was no Terrorists' organisation. Therefore, Sir, to recapitulate on his part the old history now of the terrorist organisations is merely an eye-wash. He

has completely gone back on his promise and so harps on Terrorism. He was beating about the bush when he was talking of the invasion of Japan or the nearness of the Japanese army to Indian frontiers. He is replying today in 1945 in the month of March. Sir, where are the Japanese now? The Japanese are on the run. They are being closely followed by the Allied Army. Mandalay has fallen to the Indian Army. Now the Japanese are five hundred miles away beyond the Indo-Burma frontier. There is not the remotest chance of any invasion of Bengal. Yet he has no courage to say that he will release the political prisoners even now.

Sir, I would like to place one other point for his consideration. The Hon'ble the Chief Minister, when he first assumed office, took certain steps by releasing as many as 550 political prisoners. Heavens have not fallen because of this release, nor anything untoward has happened out of the release of these 550 political prisoners. Now what argument is left to him to say that the release of the rest of the political prisoners will usher in anarchy or disorder? As a matter of fact, Sir, he is only the mouthpiece of the bureaucrats. He is repeating parrot-like what the police would say in the matter. Sir, I asked him in all seriousness about certain lady prisoners of whom I put certain questions to him the other day. Of the 19 lady prisoners 13 are ailing from different diseases and most of them are suffering from T. B. Will the release of these lady prisoners jeopardise in any way the defence of India? He has kept quite mum on the point.

Sir, look to the picture, the standpoint that has been taken up by the North-West Frontier Province as well as by Assam. In the North-West Frontier Province, so long as the League Ministry was in office, they considered that the defence of India will be in jeopardy unless and until Khan Abdul Gafur Khan is kept confined in jail. Perhaps the same argument was advanced over here regarding the political prisoners—mostly Congressmen. But, now, Sir, Dr. Khan Sahib gave out and said that his first act on the assumption of office would be to set free all the Congress prisoners including the Frontier Gandhi. The Governor of the North-West Frontier Province held communication with Lord Wavell on the telephone and they decided that the Frontier Gandhi must be released. The Frontier Gandhi was released and along with him the Congress Prisoners. Did the heavens fall there in the North-West Frontier Province? Did British Imperialism collapse because of the release of Khan Abdul Gafur Khan?

What is happening in Assam? Assam is near to Burma than Bengal. There even, the League Ministry headed by Sir Saadullah has actually accepted the terms of the Congress Party to the effect that they will release all the political prisoners without delay. On this condition, the Congress Party there will support the Government when it is formed. This is, Sir, the condition in Assam as well as in the North-West Frontier Province. Now, Sir, instances have been cited by the Hon'ble Home Minister of other provinces where such prisoners were kept in detention by their respective Governments. I may say, Sir, in this connection that in every other province they have set free *en masse* all the alleged saboteurs. In Bengal, only 50 out of 1,317 are alleged to be saboteurs. If you do not release them, why don't you release the rest? There is no justification for your keeping them in detention. What indeed is the danger if you do release them? There is absolutely none. When we argue for the release of these prisoners, you at once talk of terrorist political prisoners, subversive organisations, etc. But, Sir, has not the situation in the country changed today and can you therefore not release them without fear? It is true that an Advisory Committee for the consideration of political prisoners' case was set up by the Hon'ble Khwaja Sir Nazimuddin of which Mr. Sarat Chandra Bose and myself were members. We recommended the release of several persons and as a matter of fact the Hon'ble Sir Nazimuddin

released 1,200 such prisoners; but did anything untoward happen at the time? Nothing untoward happened. Then war was on, yes, the war continued and you again took them back to the prison. Why did you do so, seeing that they were living as peaceful citizens? Why did you do so? You did so, simply because you had the idea that there were terrorist organisations in the country some day some time. Sir, is that a crime for which these men should be taken away and confined in jails? Even if you thought that there was some justification in confining them at the time, what is the present justification? The present political situation in Bengal is not at all dangerous or critical. Is there any emergency in Bengal now? There is not even the remotest chance of a Japanese invasion of Bengal now and I ask in all seriousness what ground is there for keeping these men in jail any longer? Sir, the Hon'ble Home Minister made a digressive statement giving out the causes as to why they were kept in jail but he has not uttered a single word as to whether their case will be favourably considered in the present situation in the country. I conclude finally by saying that no Government however repressive will be justified in keeping these persons in jail under the present situation. With these words, I move that my resolution be accepted.

Mr. DEPUTY PRESIDENT: Does the Hon'ble Minister wish to reply.

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir.

Mr. DEPUTY PRESIDENT: The question before the House is: that this Council is of opinion that all security political prisoners taken under the Defence of India Rules and Act or under Regulation III be set free without any further delay.

(The resolution was negatived.)

Complaint about disturbance at the Provincial Jamiat Ulema Conference.

Mr. HUMAYUN KABIR: Sir, before you adjourn the House, there is one matter to which I would like to refer and draw the attention of the Hon'ble Home Minister. As you probably know, today was scheduled for the opening of the Provincial Jamiat-ul-Ulema Conference in Calcutta and a meeting had been organised to take place at the Calcutta University Institute. But I am informed on the authority of a responsible member of the legislature that when the delegates went to the Institute they found that some persons calling themselves members of the Muslim League—whether they are actually genuine members of the League I do not know, but they alleged that they were members of the League—went to the Institute and they have occupied the Hall and are creating most unseemly disturbances there. On a previous occasion, too, when the Conference met here, that meeting also was disturbed by hooligans of the worst type who also characterised themselves as members of the Moslem League. I do not know, Sir, whether the Hon'ble Home Minister will accept them as genuine members of the Moslem League. And these members are dancing naked in the very presence of very respected leaders of the Muslim community from different parts of India, and today when there are at least anticipations of a recurrence of those scenes may I request the Hon'ble Home Minister to look into the matter, and since permission was taken for holding the meeting and the police also is there, still there is no resistance shown by them and these hooligans have been allowed to enter the hall and create unseemly disturbances and I think the Hon'ble Home Minister owes it to himself, since he is the leader of the Muslim League in this province, to see that this kind of unseemly disturbances are not created time after time in the name of Muslim League. I think his personal visit is called for.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I do not think I am called upon to reply to what Mr. Kabir has said, because I do not know anything about it. The honourable member should have approached the police if he had any complaints to make.

Mr. HUMAYUN KABIR: I have informed the police.

Mr. DEPUTY PRESIDENT: The House stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 23rd March, 1945.

Members Absent.

The following members were absent from the meeting held on the 22nd March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. K. Baksh.
(3) Mr. K. K. Dutta.
(4) Khan Bahadur Abdul Gofran.
(5) Mr. J. S. Graham.
(6) Mr. M. R. Jaipuria.
(7) Maulana Mohd. Akram Khan.
(8) Khan Sahib Subidali Mollah.
(9) Mr. N. N. Mookerji.
(10) Mr. B. C. Mukherji.
(11) Mr. R. S. Purssell.
(12) Dr. K. S. Ray.
(13) Mr. B. K. Roy Chowdhury.
(14) Mr. Yakub H. S. Sattar.

BGP-45/6-3373A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945.—No. 20.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 23rd March, 1945, at 2-15 p.m. being the twentieth day of the First Session of 1945, pursuant to section 62(2) (*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PROSAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Increase of dearness allowance.

69. Mr. NAGENDRA NATH MOHOLANABISH: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether he is aware that cost of living in Bengal has increased at least to four times the pre-war cost and that Government employees of every rank are finding it difficult to meet their ordinary family expenses?

(*b*) If so, do the Government propose to revise and increase the scale of dearness allowances to those who are allowed such allowances, and grant such allowance to others who are not now eligible for such allowances?

(*c*) Is it a fact that the Government of India have increased such dearness allowances with effect from March, 1944? If so, why have not the Government of Bengal yet considered the question and announced their decision so long?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Minister in charge of the Finance Department): (*a*) I am aware of the abnormal rise in the cost of living which has naturally imposed a financial strain on all persons with fixed income.

(*b*) and (*c*) Our rates of dearness allowance have been revised from time to time in consultation with the Government of India. Our present rates are the same as those sanctioned by the Government of India.

Mr. NAGENDRA NATH MAHALANOBISH: When was the rate last revised?

Mr. K. C. ROY CHOWDHURY: In October with retrospective effect from June.

Money-lending business of the Banks.

70. Mr. MANCTURAM JAIPURIA: Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—

(*a*) if it is a fact that a bank which has been declared as scheduled or notified bank on or before the 1st of January, 1939, has been declared to be exempted from the provisions of the Bengal Money Lenders Act under section 2, sub-section (*12*) and section 3 of the said Act;

(*b*) if it is a fact that many new first class banks have come into operation after the 1st January, 1939, and they are neither declared as notified nor as scheduled banks;

(*c*) if he is aware that section 3 of the Bengal Money Lenders Act empowers the Provincial Government to declare any bank by a notification in the official gazette, as notified bank for the purpose, on compliance with certain rules;

(*d*) if he is aware that section 3 of the Bengal Money Lenders Act further empowers the Provincial Government to frame those rules;

(*e*) what steps the Government have taken to frame those rules; if not, why not; and

(*f*) if he is aware of the anomalous position of the banks owing to the non-existence of the rules?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Minister in charge of the Judicial Department): (*a*), (*c*) and (*d*) Yes.

(*b*) Some banks have been floated since 1st January, 1939, but their notification could not be considered in the absence of rules. This Government has no concern with the declaration of a bank as Scheduled.

(*e*) Draft Rules are under preparation.

(*f*) No.

Mr. HARIDAS MAJUMDAR: How long these draft rules are under preparation?

Mr. K. C. ROY CHOWDHURY: The draft rules have been prepared and they are with me now.

Mr. HARIDAS MAJUMDAR: Why have they not been approved by the House? When are they coming for the approval of the House?

Mr. K. C. ROY CHOWDHURY: If the Act provides for that, it will come.

Mr. NAGENDRA NATH MAHALANOBISH: Is it not the practice that the rules are prepared simultaneously with the promulgation of the Act or shortly after that? Why this unusual delay?

Mr. K. C. ROY CHOWDHURY: The delay is due to the consultation with the Deputy Governor of the Reserve Bank of India who was not here and the Hon'ble Minister in charge. The rules have been made and I think the notification will be issued very soon.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, this Act came into existence in 1940 and we are now in the middle of 1945. Is it at all reasonable that Government should have taken almost 5 years to frame these rules?

Mr. K. C. ROY CHOWDHURY: I admit some time has been taken over this.

Mr. NAGENDRA NATH MOHOLANABISH: Will the Government be pleased to take note of this fact that such unusual delay is undesirable?

Mr. K. C. ROY CHOWDHURY: I am taking note of the fact and I shall communicate it to the Department concerned.

Mr. HARIDAS MAJUMDAR: When the discussion with the Reserve Bank was concluded?

Mr. K. C. ROY CHOWDHURY: Two or three months back.

Mr. HARIDAS MAJUMDAR: When did it commence?

Mr. K. C. ROY CHOWDHURY: I want notice.

Mr. PRESIDENT: Questions over.

Adjournment Motion.

As regards the adjournment motion of Mr. Nagendra Nath Mohalanobis, I have gone through the two letters, and I feel that the situation has not been altered at all by the second letter. In fact, the proposals made in the first letter have been given effect to partially in the second letter. So the situation remains not only unaltered but probably it has aggravated. In this view of the matter, I give my consent to this motion, and I fix Tuesday, Monday being a holiday, at 1-30 p.m. for the discussion of the motion.

Mr. NAGENDRA NATH MOHOLANABISH: I will not be able to attend the Council on Tuesday, and so may I, with your permission, request one of my friends here to move my motion on my behalf?

Mr. PRESIDENT: It has never been the practice, Mr. Moholanabish, and so I cannot make an exception in your case. It will be very unusual.

Mr. SHRISH CHANDRA CHAKRAVERTI: Could you not change the date?

Mr. PRESIDENT: Mr. Moholanabish, suppose we fix Wednesday will that suit you?

Mr. NAGENDRA NATH MOHOLANABISH: No Sir, Thursday will suit me.

Mr. PRESIDENT: It would delay the matter further.

Mr. NAGENDRA NATH MOHOLANABISH: Sir, I only crave your indulgence, Sir.

Mr. PRESIDENT: All right. But it should not be taken as a precedent. It is only in view of the importance of the subject and the public interest roused by it that I am prepared to relax the rule and fix Thursday at 1-30 p.m. for the discussion of the motion.

But there is one thing which should be looked into. I should find out whether Mr. Moholanabish has the leave of the House to move his adjournment motion.

Mr. HARIDAS MAJUMDAR: But there was no objection by the Government to the motion being moved, and so the question of leave does not arise.

Mr. PRESIDENT: Have Government any objection?

The Hon'ble Mr. H. S. SUHRAWARDY: I still do not know, Sir, whether the second letter conveys any threat.

Mr. PRESIDENT: It does.

The Hon'ble Mr. H. S. SUHRAWARDY: The second point is: whether the threat of supersession, which the Government has a right to convey, has created an urgent matter of public importance. From today's newspapers it appears that the crisis has passed and that the Corporation is now in a mood to carry out the directives. Therefore, I cannot quite see what advantage there will be in further discussing this matter. On this ground, I oppose the admission of the motion.

Mr. LALIT CHANDRA DAS: You may make these observations when the motion comes up for discussion.

Mr. SHRISH CHANDRA CHAKRAVERTI: It appears absolutely ridiculous on the part of Government to object now, since they did not object yesterday, whereupon you, Sir, pointed out that although Government did not object still you wanted to be satisfied about the admissibility of the motion.

Mr. PRESIDENT: The Chair has to give its consent first and the question of Government objecting or not objecting does not arise till then. Yesterday I did not make up my mind and postponed my decision as I wanted to go through the letters and give my views later on. I have now gone through the letters and I feel that no change in the position has been brought about by the second letter. In fact, some of the proposals made in the first letter have been given effect to in the second. Action has actually been taken under sections 3 and 8 of the Public Health Ordinance in the second letter and now it remains for Government to take action under section 9 of the Ordinance. The position, if anything, has been aggravated and it has not eased in any way; that is my view. I should now find out whether Government object to the motion being moved.

Mr. LALIT CHANDRA DAS: Sir, the point has been decided by you just now and you have already decided that it will be taken up on Thursday; I do not know, Sir, how the matter can be re-opened now.

Mr. PRESIDENT: Mr. Das, you should follow the procedure.

Mr. HUMAYUN KABIR: Sir, yesterday when this matter was raised, it was definitely stated from the Government side that they had no objection to the motion being discussed. But, Sir, you very rightly pointed out that the question of Government objecting or not objecting did not arise until you had admitted the motion. You said you would waive the question of urgency in the meantime. From the official proceedings of yesterday it will be found that the Government party did not raise any objection. It was rather you, Sir, who pointed out that the question of admissibility of the motion had not yet been decided and therefore the question of objecting at that stage did not arise. Today you have decided the question of admissibility. Yesterday when you, Sir, asked for time to go through the letters, the Government had their first chance, and then they explicitly stated that they had no objection. Today, Sir, you decided the question of admissibility and also fixed a day for the discussion of the motion by the House; at that stage also the Government did not object. They could have then got up and put froward an objection; but they did not do so at that stage. Again, Sir, when Mr. Moholanabish appealed to you for a change in the date, you were pleased to alter the date further; even at that stage there was no objection from the Government. And thereafter when you said that that was not to be regarded as a precedent—that was your definite ruling, Sir—but that as a special case you were pleased to alter the date out of considertaion for the difficulty of Mr. Moholanabish from Tuesday to Thursday, even at that stage Government did not make any objection. Besides, a date having been already fixed by the Chair, I cannot think how the matter can be re-opened.

The Hon'ble Mr. H. S. SUHRAWARDY: Government still would not have objected to it had it not been that in the opinion of Government the position has changed owing to some action taken by Government. Yesterday we had no objection to discuss the matter. But today's objection is really due to the fact that we do not think that any discussion here will be fruitful. On the other hand, it will embitter the position, the relation between the Government and the Calcutta Corporation will become worse and it will be a waste of time of the House.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, why did not Mr. Suhrawardy come in time and record his objection? It is too late now——

Mr. PRESIDENT: Government had ample time for raising their objection. We have been discussing this matter for some time and no objection was raised then.

The Hon'ble Mr. H. S. SUHRAWARDY: All right, Sir, I place the matter entirely in your discretion.

Mr. PRESIDENT: I hope you will not press your objection.

The Hon'ble Mr. H. S. SUHRAWARDY: Just as you please.

The Hon'ble Khwaja Sir NAZIMUDDIN: But, Sir, the matter is not today at the stage where it was yesterday. The situation is changed now. Then, there is a stage between your admission and consent of the House.

Mr. PRESIDENT: That point should have been taken before I admitted the motion. That point was not mentioned till Mr. Suhrawardy came into the House.

Motions under Rule 112 of the Bengal Legislative Council Procedure Rules.

Mr. PRESIDENT: The House will now take up Motions under rule 112 of the Bengal Legislative Council Procedure Rules. Mr. Humayun Kabir's motion was under discussion on the last day.

Mr. HUMAYUN KABIR: Sir, I moved the motion and I had finished my speech. I believe Mr. Moholanabish was in possession of the House when we rose that day. Of course, I am subject to correction.

Mr. NAGENDRA NATH MOHOLANABISH: Yes, Sir, I was in possession of the House that day. We were dealing with the question the other day as to whether the promulgation of the Ordinance while this Council was sitting was legal or not. I showed the other day by reference to the provisions of the Government of India Act that the word "session" includes the period the House, though not actually sitting, was in session and not prorogued. It appears that the Ordinance was issued at a time when the Council was in session. The word "session", as referred to in the rules framed under the Government of India Act, 1935, clearly indicates the period from the date on which it is summoned up to the date when it is prorogued. Therefore, these Ordinances were issued at a time when the Council was in session and as such they were illegal and *ultra vires*. I hope the Hon'ble Minister will take note of the fact that the Government were not properly advised by their legal adviser and that the advice was not in accordance with the Government of India Act but according to their own whims.

With these few words, I commend the motion to the acceptance of the House.

The Hon'ble Mr. TARAK NATH MUKHERJEA: Sir, I do not object to this motion, but I should like to submit that these two Ordinances were promulgated in 1943 and ceased to be in effect from 15th March, 1944, at the expiry of 6 weeks from the re-assembly of the previous session of the Legislature. They were followed up by two Bills which were introduced in the Legislature and they were passed by the Council but no further progress could be made on account of the prorogation of the Assembly. As such the Bills could not be passed into law till the next session of the Legislature. These were the reasons which necessitated the promulgation of the Ordinances and Government considered all the appropriate measures to be taken in regard to these matters. Accordingly, the law officers of Government were consulted as to whether fresh Ordinances should be promulgated although a particular House which gave its verdict on the Bills was then in session. The decision was that such Ordinances could be promulgated under section 89 of the Government of India Act, 1935. In order to conform this decision a reference was made to the Governor-General and the Secretary to His Excellency the Viceroy (Public) upheld

the decision of our law officers. Accordingly, these two Ordinances were promulgated notwithstanding the fact that the Council was then in session. Therefore, Sir, I submit that these two Ordinances were quite in order.

Mr. HUMAYUN KABIR: Sir, as Government have tried to reply, I also have a right of reply. I would make only a few remarks in this connection. I find on this occasion the Government have seen fit to attempt a reply. Usually the procedure in the case of a motion under section 112 is that Government forward the proceedings of the debate to the proper authorities. The fact that the Government felt it their duty to attempt a defence shows that the resolution was needed. It also shows that Government had doubts in their own mind as to the legality of the procedure. They referred the matter first to the Advocate-General and then to the Government of India. I think all the legal luminaries of the world rolled into one are not able to make an illegal act a legal one. When this question first arose, you admitted that, at any rate at first sight, it seemed to you that an act of grave constitutional impropriety had been committed. The opinion just now given by the Hon'ble Minister is that the Legislature being in session means both the Houses should be in session together. If this is accepted, I am afraid a handle will be given to the Government to defeat the Government of India Act, 1935. You will remember that under that Act Ordinances can be promulgated when the Legislature is not in session. Further, Ordinances cease to have any effect after six weeks of the summoning of the Legislature. If the interpretation of the Hon'ble Minister is correct, the Government may promulgate an Ordinance and summon only one House to transact some business. When that business is finished, it may prorogue the House and summon the other House. The Government may say that the Legislature is not in session. In this way the Government can go on merrily without the help of the Legislature.

I submit that this cannot be the intention of the Government of India Act, 1935. Provisions have been made in the Act to subject such Ordinances to the scrutiny of the Legislature. Those Ordinances which are promulgated by the Governor at his discretion are free of the scrutiny of the Legislature, but even these Ordinances promulgated by His Excellency the Governor are subject to the scrutiny of the Governor-General, while those of the Governor-General are subject to the scrutiny of the Secretary of State. Through the Secretary of State, all these are, again, subject to the scrutiny of the House of Commons. We therefore find that the motive of the Government of India Act, 1935, is that administration should not be by Ordinances: it should be by legislation.

Yet I find my honourable friend, the Revenue Minister, coming with this supposed advice from the Advocate-General and the legal luminaries of the Government of India. I am a plain man without much legal knowledge, but even to me it seems obvious that where the Government of India Act lays down clearly that Ordinances cannot continue beyond six weeks after the summoning of the Legislature, this kind of interpretation that the Legislature will not be in session unless both the Houses sit together will only defeat the purpose of the Government of India Act, 1935.

I have discussed the legal aspect of the question so far, but there is also another aspect, namely, the question of the necessity of the Ordinances. There may be certain cases where Ordinances may have to be promulgated but as regards these two Ordinances, they have already been passed by the Legislative Council and they were due for consideration in the Legislative Assembly. They were sent by you, Sir, I think about the middle of March, 1944, to the Legislative Assembly. The Legislative Assembly sat thereafter for almost four or five months. I believe these Bills which had been passed by the Legislative Council were put on the agenda—here I speak subject to correction—of the Assembly, but it happened that on that particular day, my honourable friend the Chief Minister found that if the Government went forward with any business, the Government would suffer

an ignominous defeat. Therefore, Sir, since discretion is always the better part of valour, my honourable friend ran away, saying that there was no business. Government were not ready with any business even though the programme had already been circulated. Thereafter, things developed quickly. There were certain no-confidence motions,—so much so that the life of the Government hung by a thread. At this stage Government again thought that discretion was the better part of valour. Instead of adjourning from day to day or instead of declining to proceed with the programme which had already been announced before the House, they thought that it would be much better to prorogue the House altogether. Once the House was prorogued, all those uncomfortable developments would subside. Thereafter, Sir, even though there was business before the House, and these two Bills had been passed by the Council and there were also other important materials——

Mr. PRESIDENT: Mr. Humayun Kabir, you are practically repeating your own arguments.

Mr. HUMAYUN KABIR: I am arguing, Sir, that if the interpretation of the Hon'ble Revenue Minister is to be accepted, the Government could carry on indefinitely without having these Ordinances converted into law. Since you say, Sir, that these arguments have been already advanced, I will simply say this. Whatever has been done in the past cannot be remedied, but there should be no repetition of such questionable methods. In any case, these two Ordinances, I believe, are being considered in the Legislative Assembly and very soon they will be enacted into law. Therefore, this question will not arise. But whoever are the Ministers should be careful about doing anything that might drag His Excellency the Governor into the arena of party politics. I would request the Government, whichever Government be in power, not to resort to such tactics in order to avoid facing public opinion. Whenever they want to carry through any legislation, they should come forward with that legislation honestly and openly and should not try to deceive the Legislature and deprive it of its legitimate rights by resorting to Ordinances of this type. With these words, Sir, I commend my resolution to the acceptance of the House.

Mr. PRESIDENT: Order, order. The question before the House is: that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council, drawing His Excellency's attention to the fact that the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1944, and the Bengal Alienation of Agricultural Land (Temporary Provisions) Ordinance, 1944, were promulgated while the Bengal Legislative Council was in session.

(The motion was agreed to.)

Mr. NUR AHMED: I beg to move: that an Address be presented to His Excellency the Governor of Bengal through the Honourable the President of the Bengal Legislative Council requesting His Excellency to make a strong representation to the Government of India to allot 18 yards of cloth per head of the population of Bengal as has been allotted in the Punjab, Bombay and Delhi.

Sir, this is a very simple motion which deals with a vital necessity of Bengal. Sir, for some time past Bengal is passing through a crisis owing to awful shortage and scarcity of cloth. In my motion I have made it clear that Bengal should be treated equally with the other provinces. I do not like to go into any controversy which has been raised and which has been raging throughout India as regards insufficieneey or sufficiency of supply of cloth, by the centre. My motion deals with the matter of fairness and justice to be done to Bengal. It is found that Bengal has always been treated unjustly and unfairly and sometimes even very shabbily by the Centre. In the matter of allocation of share of receipts of income-tax

and other central taxation too, Bengal has been very unfairly treated by the Centre and Bengal's financial sources have been crippled by the Meston Award and the Niemeyer Award. In matters of cloth supply, it must be regretted that Bengal has been similarly treated by the Centre. Bengal once stood foremost in the whole of India for cloth and the rest of India followed her; but since then Bengal has fallen on evil days and the Centre has been treating Bengal very unfairly, I must say. Sir, why is it that Bengal has been treated differently from other provinces? The answer is that Bengal is taken to have consumed only 12 yards of cloth per head of the population before the war; so it is said that Bengal has been allocated only ten yards of cloth per head of the papulation. But the Hon'ble Minister for Civil Supplies has pointed out in his statement to the Press Conference the other day that there are no data on which it can be said that Bengal used to consume only 12 yards of cloth *per capita* before the war. It is very difficult to collect data on which a reasonable calculation may be made as to what was the *per capita* quantity of cloth which Bengal used before the war. In this respect Bengal's grievances remain. Unfortunately, things have turned out differently and the statement from the Centre and from Bombay made out that Bengal has been supplied during the last five or six months ending on the 31st December, 1944, 58,000 bales and odd more than what she is entitled to on a basis of 10 yards per head.

Sir, there was silence for some time and there was no protest on the part of the Government of Bengal and so this situation was taken advantage of by the Press and other interested persons to malign this Ministry. They did it mainly to prove that this Ministry is inefficient. Day after day the newspapers started a campaign of tirade against the Ministry. Then came the first actual statement—the actual fact—from the Marwari Chamber of Commerce. In its analysis of the statement of the Centre and Bombay it pointed out that Bengal has actually got 28 per cent. less of cloth of the quota to which Bengal is entitled. It was pointed out that Bengal stand in a peculiar position owing to the war situation. But Bengal's special situation was not taken into consideration and fallacious statement was made both by the Centre and by Bombay saying that Bengal got more than what other provinces got. In this connection it was said that Bengal got from the Centre during the first 5 or 6 months 179,000 bales, whereas actually it ought to have got only 120,000 bales, and because there was no efficient system of distribution there was scarcity of cloth in Bengal. That was the statement made. As has been pointed out by the Minister in charge of Civil Supplies in his statement to the Press, Bengal cannot meet its requirements unless the Centre increases the allotment of cloth *per capita*. Under no circumstances he can meet the want of cloth of Bengal even with the best and efficient system of rationing or distribution unless an additional supply of cloth is given to Bengal. I remember to have moved probably during the last session a similar motion in which I asked the Government of India to arrange for additional supply of 35,000 bales to Bengal. At that time it was thought that there would be a scarcity in Bengal. I do not know what has been the fate of that Address Motion. Then, Sir, it was found from the Minister's statement that the Government of Bengal tried its utmost to regulate the system of distribution of cloth in August, 1944, but the Central Government did not allow them to introduce any new system of distribution. For this reason Bengal is now suffering and there is scarcity of cloth in every part of Bengal. It is most unfortunate that the Central Government did not realise the circumstances of Bengal when allotment was made to Bengal.

Sir, Bengal has to clothe about 40 lakhs of people who have come to Bengal as Burma refugees or as labourers of war industries and also the Army personnel. Calcutta is a cosmopolitan city where people from all parts of India come and make purchases. Sir, it was not taken into consideration that Bengal's population has increased at the rate of 2 per

cent. per year over the census of 1941. The fact that Bengal requires extra cloth for A.R.P., hospital and other things has not been taken into consideration. The Central Government is responsible for the state of things for which the Bengal Ministry is unnecessarily being accused. The Nationalists and the Congress are taking advantage of every such situation. The Minister for Civil Supplies has proved that he has the energy and capacity to control the situation and has been trying to evolve a system to check the chaos. If the Hon'ble Minister had his own way of doing things without any interference, we would not have been confronted with such a state of affair. I appeal to the Central Government to consider the helpless condition of Bengal which has to depend on other provinces for her cloth. We find from history that during the Moslem period Bengal used to export cloth to foreign countries. Even at the time of the East India Company she used to export cloth. Since then Bengal's textile industry has fallen on evil days. Bengal now produces only about 36 per cent. of her requirement and 64 per cent. come from outside. We do not want any favour from the Centre: we want that justice should be done to Bengal specially in view of the fact that Bengal falls within the operational area of war.

Sir, my motion is a very just one. I say, let Bengal be treated on the same footing as the Punjab, Delhi and Bombay. With these words, I commend my motion to the acceptance of the House.

Mr. PRESIDENT: Order, order. Motion moved: that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to make a strong representation to the Government of India to allot 18 yards of cloth per head of the population of Bengal as has been allotted in the Punjab, Bombay and Delhi.

Mr. LALIT CHANDRA DAS: Sir, at this stage will you allow me to intervene? I had tabled a motion under rule 96 exactly on this point with certain suggestions. It is regarding the cloth situation in Bengal, and it runs almost on the same lines as those of my friend Mr. Nur Ahmad with some additional suggestions as to what Government should do in this matter, and how they should do it. Now, Sir, the Civil Supplies Minister is here and if he agrees——

Mr. PRESIDENT: Have you got his consent?

Mr. LALIT CHANDRA DAS: That is what I am asking for. It is on the agenda, subject to the consent of the Hon'ble Minister-in-charge.

Mr. PRESIDENT: I am informed that the Hon'ble Minister's consent has not been received yet; moreover this can be taken up only if the members in whose names other motions stand do not object.

Mr. LALIT CHANDRA DAS: I know, Sir, that first of all consent of the Hon'blje Minister in charge is necessary——

Mr. PRESIDENT: But his consent has not been communicated to this Department up till now.

Mr. LALIT CHANDRA DAS: May I request the Hon'ble Minister who is present here to give his consent?

Mr. PRESIDENT: No; that question cannot be settled here.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I read the motion very carefully and yesterday on the floor of this House I indicated that I will not be able to give my consent either to this motion or to the motion of Mr. Haridas Majumdar. The Hon'ble the Chief Minister suggested that I should make a statement. I made a very full statement to the Press and that is quite enough for the purposes of the general public.

In my opinion, I cannot add anything useful to that except in the way of expanding or explaining, and it will be a waste of the time of the House if I were to allow consideration of that special motion.

Mr. PRESIDENT: In that case the question does not arise. It is entirely his discretion to give his consent or to refuse it.

Mr. HUMAYUN KABIR: Sir, can he not move his motion as an amendment to the original motion?

Mr. PRESIDENT: I am sorry that cannot be done now.

Mr. NAGENDRA NATH MOHOLANABISH: Sir, I rise on a point of order. The Hon'ble the Civil Supplies Minister stated just now that in pursuance of the undertaking given by the Hon'ble Chief Minister on the floor of this House, the Honourable Minister for Civil Supplies made a statement in the Press. Is he entitled to cite that as a reason for not making any statement in the House?

Mr. PRESIDENT: That question was raised but it was not decided whether the Chief Minister had actually made a promise to that effect. Let us, therefore, resume the discussion on Mr. Nur Ahmed's motion now.

Mr. HUMAYUN KABIR: Sir, I have pleasure in supporting the motion, which I believe, no section in the House will oppose. This motion can no doubt be treated in a controversial manner. It may also be treated in a non-controversial manner and I propose to follow the latter course. It would be quite easy to bring into the discussion consideration of the cloth policy of the Government and condemn it. Mr. Nur Ahmed himself did so, even though he tried to put all the blame on the shoulder of the Opposition. He started by saying that Government, by not doing anything in this connection, invited all the bad things that the Opposition has said. He himself repeated all the bad things that the Opposition has said against Government. In other words, he wanted to have the pleasure of criticising Government without attracting any displeasure of Government. It was not very proper on the part of my honourable friend to have done so. If he wanted to discuss the matter, he could have done so in his own way, leaving out the references to the Opposition. If he dares to criticise the Government, he can always do so. It does not need second-hand criticism.

Mr. Nur Ahmed put all the onus on the Opposition. I do not propose to follow him. I will not go into the crimes of commission and omission of which the Government have been guilty according to Mr. Nur Ahmed in not dealing with the cloth problem more satisfactorily till now. He has stated in his resolution that the position is quite different in the other provinces; they have been given a larger quota than Bengal. As Mr. Nur Ahmed himself has pointed out there was a discrimination against Bengal, but this Government did not do anything to remove the discrimination. These points were made by Mr. Nur Ahmed himself. It is not necessary for me to labour them. They are quite evident.

I will ask the Honourable Civil Supplies Minister to consider another aspect of the question. Under the system of quotas which he proposes, under the system of rationing he wants to introduce, he will give 10 yards of cloth per head of the population. Sir, I do not know if he has calculated what this 10 yards of cloth per head of the population means. Taking the *dhoti*, the usual dress worn in Bengal, I should say that a *dhoti* is generally 5 yards long. Ten yards would then give an individual in Bengal two *dhotis* only a year and those who do ont wear *dhotis* alone but go in for additional apparel for the upper body would be left to fend for themselves——

The Hon'ble Mr. H. S. SUHRAWARDY: How much cloth is needed for a *lungi*?

Mr. HUMAYUN KABIR: About 2½ yards to 3 yards. I know that Mr. Suhrawardy wants to be an innovator in many things. He has anticipated me. I was going to ask him whether he wanted to be repeated here the spectacle of Burma where man and woman all wear lungis. There is one *lungi* for the nether portion of the body and another for the upper portion. Is it the intention of Mr. Suhrawardy that the people of Bengal, irrespective of man or woman, should all take to *lungis*? But even then ten yards would not suffice. Even in that case I believe a slightly larger length would be required for women.

The *lungis* used by men are generally 2½ yards. This would give only four *lungis* per year which is obviously grossly inadequate. So, if 10 yards are to do for the whole year, I would prefer 10 yards of drill or some other rough and hard cloth. Perhaps the people will have to take to shorts and banians. Ten yards would give us four shorts and four banians and Bengal would be transformed overnight into a land of tights and half-pants. If the proposal of Mr. Suhrawardy is taken seriously, then the people will have to give up *dhotis*, *sarees*, shirts, coats, pyajamas, and *chaddars*. We will not have to wait long for the days when my friends of the Legislature will have to come attired in shorts and banians.

Sir, I do not know if old boyhood loyalties are stirring in Mr. Suhrawardy again. Shorts and banians are the only course if people have to do with 10 yards a year. Perhaps old memory is stirring in the mind of Mr. Suhrawary. The old loyalties are coming back to life. We remember Mr. Suhrawardy as a stormy petrel of Bengal politics in the old days when he was a Congress man. It was not the present Mr. Suhrawardy, well-clad and well-groomed as he is today even when Bengal is suffering from a cloth famine. That was not this Suhrawardy—that was a Suhrawardy of lean and hungry look which reminded one of Casius in the Julius Caesar. Mr. Suhrawardy was in those days a great supporter of *khaddar* and an apostle of the loin cloth. When he speaks of 10 yards a year, we feel perhaps that old loyalty is stirring in his mind.

I would ask Mr. Suhrawardy if he wants to force people to take to *charka*, *khaddar* and loin cloth. When he suggests a quota of 10 yards, we feel that he is trying to transform the sartorial robes of the Ministers and the members of the Legislature, including my honourable friends on my left; he wants to convert them into wearers of loin cloth of the pure Gandhi brand. We do not know what will happen to the President of this august House. I know he cannot be discussed; but what will happen when the President arrives in the sartorial uniform which Mr. Suhrawardy wants to prescribe for the whole of Bengal?

Unless Mr. Suhrawardy is a fire-brand who believes in red hot revolution, unless he is an ardent believer in *khaddar*—which unfortunately he has now abjured—unless my honourable friends spin and weave in their spare time,—and many of my friends who come from the mofussil have time to spare and can spend their time in spinning,—there is no hope for Bengal so far as cloth is concerned.

Sir, spining of yarn in more sense than one might, in that case, be the national industry of Bengal. The whole Bengal will then move towards that direction.

If Mr. Suhrawardy conscientiously and seriously believes this, there is some sense in his proposal for a quota of ten yards per head. If, on the other hand, without any plan and without any consideration of the consequences of this revolutionary move, he wants to introduce and force upon the people only 10 yards of cloth per year, I think, Sir, very serious consequences will follow. (The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is for the Government of India.) I am afraid my honourable friend the Leader of the House has not appreciated the force of my argument, but I think, Mr. Suhrawardy has appreciated it. I am sure that

he will have the support of all sections of the House if he moves the Government of India to increase the quota for Bengal and to see that instead of a meagre quantity of 10 yards more is allotted to us. The average Bengali is a very humdrum and conservative people, very timid and afraid to take any risk; such a timid, agricultural and rural population should not be forced to be revolutionaries in dress!

Mr. LALIT CHANDRA DAS: Mr. President, Sir, my honourable friend Mr. Nur Ahmed has brought a very important resolution in this House, namely, "That an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to make a strong representation to the Government of India to allot 18 yards of cloth per head of the population of Bengal as has been allotted in the Punjab, Bombay and Delhi". With respect to that the Hon'ble Mr. Suhrawardy, following the example of the Marwari Chamber of Commerce, has urged upon the Government of India to revise the quota allotted to Bengal. There is no difficulty for any one to support a motion of this kind but Mr. Nur Ahmed has not suggested what the Bengal Government should do. In my view, the proper move should have been not a request to His Excellency to do it which has been sought to be done by this motion but the proper thing should have been to move a resolution binding upon the Government of Bengal to urge the Centre to relieve the cloth situation in Bengal. This Mr. Nur Ahmed has not done. Sir, the Textile Board of Bombay did not take into consideration the influx of Burma refugees in this province, labourers and the Red Cross. It is a fact that out of the quota allotted to Bengal some portion has been exported away to Tibbet, China and other places outside Bengal. That is the main reason why Bengal has been suffering so much. But that is not all. I want to know whether the quantities received so far have been properly distributed.

Supposing, Sir, the Government of Bengal show some laxity of control and some want of care in making proper distribution of cloth the situation would become very much more worse than ever. Therefore, simply the raising of quota from 10 to 18 yards will not do. So it is necessary to enquire of the Government as to what they did with respect to the whole quota of 10 yards per head per annum. I think there were various leakages in the Government system of control with the result that the supply of cloth did not reach the people but passed into the black-market where it was selling at prohibitive prices which increased the suffering of the people.

Sir, I think the Civil Supplies Department is too big a Department for one Minister, and the present Minister-in-charge of this Department is very much engaged in the food rationing, food supply and other things, and so far as the cloth matter is concerned I think, Sir, that this is a matter which should be placed altogether under the charge of a perfectly different man. Mr. Suhrawardy is an overworked gentleman, and so far as the cloth matter is concerned his Department should not control it but its control should be placed into the hands of another Minister who will devote all his time and energy to this matter and thereby relieve Mr. Suhrawardy for his engagement elsewhere.

Sir, in my opinion, the Government did not discharge its duties properly in the matter of cloth as it was received in Bengal, and therefore this cloth passed into the black-market. Sir, are we to understand that Government is unable to unhoard this black-market and are we to understand that Government is unable to destroy the black-market and Government is unable to find out where the cloth is hidden? When Government can easily find out our political young men from distant corners of Bengal and catch them and throw them into jail without any trial, are we to understand that their machinery is so inefficient that it cannot detect the black-marketeers and also detect where the cloth has gone? Therefore, I think there is laxity of control and as long as this laxity of control will continue, even

this increased quota of 18 yards per head per annum will be of no avail unless strict arrangements are made in the matter of distribution of cloth. Therefore, I suggest that our overworked Minister should be relieved of it, and that somebody else should be put in charge But even this will not be sufficient. I think it will be proper if instead of a Traders' Provincial Textile Board there comes into existence another Board which will be an all-parties' advisory board. I know that there are several people on the Ministerial side who will object to this change. So the best thing would be if there be an all-parties' Government whose business will be to serve the people and not to serve themselves. It may be resented by the supporters who have been the beneficiaries of the present one-party Government, namely, the League Government. Therefore, even if they do not yield on this point, namely, the formation of an all-parties Government for the purpose of bringing about a better situation in Bengal in the matter not only of food but also of cloth, they should at least agree to the formation of an Advisory Board which should consist of leaders of all the parties whose business will be to check and control and advise Government in all its arrangements regarding the maintenance of supply of cloth and distribution in different parts of Bengal. Sir, it may be said by the Civil Supplies Minister that we have already got different bodies, local bodies spread throughout the length and breadth of Bengal and those bodies are Food Committees through whom we shall be able to distribute all the cloths, that we may possibly get. Our objection to this is that these Food Committees are communally constituted and not in the way desired by the people; they are practically so many bodies which are under the control of the Moslem League and therefore they will not give us satisfaction. The only thing that is expected to give us satisfaction will be an all-parties Advisory Board which will be able to advise the Government to set up Committees free from party spirit, whose main interest would be to serve the people and nothing else and not their own pockets. Therefore I would urge upon the Government the necessity of doing the next best thing, namely, the institution of an all-parties Advisory Board in place of the Provincial Traders' Board. Here is an opportunity which the Bengal Government is missing in the matter of giving an impetus to a thing which was near the heart of Mr. Suhrawardy himself in the good old days when he was in company with the late Mr. C. R. Das, giving an impetus to *charka* and to the weaving industry, to arrange for import of adequate quantities of cotton just to help the handloom industry in Bengal. Why should Government lag in this matter? Government may say that as soon as we get our quotas of yarn and cloth we will make arrangements for their equitable distribution. Sir, I am not satisfied only with that. You must try your level best to raise the quota to be received from the Central Government and at the same time you should also take the initiative to try to import as much cotton as possible and arrange for its distribution to the different parts of Bengal, so that the spinners in their huts and homes may spin yarn and then weave cloths out of them. That is our opportunity, Sir, and we should not miss this opportunity. In England this insufficiency of cloth supply here has given the cloth weavers great opportunities. The Manchester weavers are thinking of sending shipments of cloth to Bengal inasmuch as there is cloth famine here. This has given them a great opportunity and they are doing their best to earn as much profit as possible by exporting cloths for Bengalis. But what are we doing? Has our Government done anything towards the supply of proper and adequate quantities of yarn to the weavers? They have done nothing of the sort. Have they ever taken any census of the looms that are to be found in Bengal? No census of looms has ever been taken. It is ridiculuous that this popular Government should go without any census of looms at all. They do not know how many looms are actually working in Bengal today. This question is coming most prominently to the fore and they ought to know how many looms are working in Bengal. I may say that there are no less than two lakhs spinners spinning cloth, only in one quarter, but why is Government so

long lagging in getting all this information? Why does not the Government take time by the forelock and take steps which would give them adequate supplies of yarn to their weavers. It is highly deplorable and must be condemned by all right tinking persons. Mere asking His Excellency to make a strong representation to the Government of India to raise up Bengal's supply of quota from ten yards to eighteen yards—that is an easy thing to do by going with a supplicating hand to them; no one gainsays that this quota should be raised but here Government has failed ignominously to help Bengal at a time when her need is the greatest. With these words, I support the motion of Mr. Nur Ahmed, because it asks for allotment of increased quota of yarns and cloths. But at the same time, I must express my regret that it does not suggest as to what the Government should do.

Mr. HARIDAS MAJUMDAR: Sir, I am glad to support the motion moved by my friend Mr. Nur Ahmed. The motion as such has my strongest support. But whether 13 yards or 18 yards it makes no difference, provided the distribution is O.K. If we get 10, 15 or 20 yards and if they find their way into the black-market it is not worthwhile going to the Government of India and appeal them for increasing the quota; because that will be helping the black-marketeers and making them cheerful—they will feel more the merrier: so unless you have proper distribution there is no hope for Bengal. They will get more quantity of cloth for selling in the black-market.

I have got one word to say with regard to the proposed rationing policy of the Civil Supply Minister. They are going to open shops and if these shops are entrusted to the supporters of the Ministry and their relations, the cloth will be precarious, because everybody knows that in the Enforcement Department the staff is manned by the relations and supporters of the Government—the supporters of the Government have been employed. Therefore there will be no chance of detecting the black-marketing. There will be no reasonable chance of detection of any corruption or dishonesty unless one party of the two—the Enforcement Branch or the shopkeepers are independent persons—persons who have no concern with the Government, persons who can honestly discharge their duties, without favour or fear. Therefore unless you appoint these sorts of people there is no chance of finding out this bottomless pit. I quite realise the difficulty of the Ministry, because they have to depend on the support of their party-men—they must satisfy their party-men, because their number is decreasing every day. So they must make frantic effort to supply them with jobs and shower other favours on them and that has become the policy of the present Government. Unless they follow this policy, this Ministry cannot last. But I say that the province will have to face a bitter famine as I told the House the other day. I would therefore request the Hon'ble Minister in charge to place his hands on the heart and say if they really want to save Bengal from cloth famine and if so he must rise superior to the sense of the safety of the Ministry and rise to the occasion to help the people in their distress. With these words I support the motion.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. President, Sir, I need hardly say that I sympathise with the motion and the debate will be forwarded to the proper quarters with such support as the Ministry is able to give. It is difficult to state what should be the yardage which should be allotted to Bengal. What I claim is that Bengal should be treated on an equal footing with the other provinces, that it should not be treated as a forlorn and neglected province and that special consideration should be paid to it on account of the conditions which have arisen in Bengal due to the war. Far from paying any special consideration for the dislocations brought about here due to war conditions, Bengal, has been specially marked out for neglect. I would like to ask those on whom is the responsibility for allocation whether the war has made any difference to Bengal or not. Has

the war and the war conditions here been responsible for the increase in population, for the shortage in food, for the panic and for the famine which followed? Surely, Bengal was entitled to some consideration on these grounds. Has the war brought into Bengal a large military personnel? Has the war brought into existence here a large number of hospitals and the necessity for clothing a number of defence personnel? I submit, Sir, that these matters should be taken into account. I feel that there is a change in the views of the Government of India and there is every hope that the claim of Bengal will be considered. I do not know whether any consideration will be paid to its special claims, but perhaps it may be treated on an equal footing with the other provinces. On our present calculations the amount that will be distributed per head on the present production would be 14 yards per head and that is the least that we can claim. But there is another factor to which I would like to draw the attention of the House that yardage by itself means little unless the kind of cloth which is used in Bengal is sent to Bengal. It is no use to us or little use to us if the yardage is made up in napkins or *langots*. What we want is that the yardage should be in *dhotis* and *saris* which are used in large numbers, in the majority of cases and in good proper width of long cloth and drills. Unfortunately, many instances have come to my notice where although the invoices stated that the proper quality and the proper width of *saris* were being sent, actually rotten *dhotis* and *saris* and small *dhotis* meant for children were sent.

There is another factor to which I would like to direct the attention of the Government of India, namely, that those mills which used to supply cloth to Bengal should be opened up for that supply. It has been brought to our notice by the trade that many mills which used to send cloth to Bengal have been stopped sending their cloth to Bengal and that cloth is being diverted to other provinces. The Textile Commissioner proposes to freeze cloth issuing from the mills when it comes to the hand of the quota-holders and from there by executive orders to direct what cloth should go to which province. I would earnestly request him when making that allocation and that diversion to send that cloth and that kind of cloth and that width of cloth which used to come to Bengal from the mills that normally used to send the cloth to Bengal. Mr. Humayun Kabir has raised a very pertinent question. If we ration cloth on the basis of 10 yards per head, surely the majority of the people would towards the end of the year go unclothed, provided of course we started from scratch and we had no clothes to carry on with. I think that we can adjust matters if people like Mr. Humayun Kabir and others who have a very good wardrobe do not purchase their quota of cloth and surrender their clothes so that they may be sold to the poorer section of the population who have hardly any reserves of cloth to carry on with. (A VOICE: Do you not include yourself in that category?) Certainly I include myself in this category, and I would request all the members not only of this House but all persons of this category here and outside to practise this act of self-abnegation until such time as we can get more cloth from the Government of India. After all, it is not a question of rationing in its proper sense. If rationing means that everyone should get his minimum requirements, that cannot possibly be satisfied at a quota of 10 yards per head; and that is the reason why in the statement which I issued I referred over and over again to equitable distribution. I could hardly call it rationing when I feel strongly that the allotment made to Bengal is insufficient to clothe the people of Bengal. Now, Sir, I do hope that the remarks of Mr. Humayun Kabir will find their proper target, and if the Government of India pays no consideration to the request of the Province, the Government of India will pay its consideration to your dignity, Sir, by sending proper allotments to Bengal.

Sir, reference has been made to *khaddar* and spinning. *Khaddar*, Sir, is not a controlled commodity, and I shall indeed be very happy if the cloth shortage here would give an impetus to spinning and to the weaving of

khaddar. I propose, although all new licences to retailers and wholesalers have stopped—I propose, I am thinking about it very seriously—issue licences for retail and wholesale to the all-India Spinners Association in the hope that they will also contribute their energy towards solving the cloth problem.

I do not think that I should repeat the figures of the Marwari Chamber of Commerce and it is never my intention to compete with that Chamber. I am grateful to that Chamber that they have placed certain facts and figures which have directed the attention of the people for the first time to the very meagre allotment to Bengal and to the fallacy underlying the figures of the Government of India. These figures, these arguments were all known to me and thrashed out by me over and over again with the Advisory Committee; not once but several times have I written to the Government of India pointing out these fallacies. (Mr. SHRISH CHANDRA CHAKRAVERTI: Why did you not publish your statement earlier?) Well, I make my statement only at the psychological moment and if the Marwari Chamber of Commerce has anticipated me, so much the better and I give them credit and thanks for that. Sir, reference has been made to the export of cloth to Assam, Tibet and China. There is a certain amount of misunderstanding regarding this matter. The quota of cloth sent to Bengal includes the quota to Assam and consequently the bales which were Assam's due had to be sent to Assam. The amount that is going to Tibet is a special allotment that has been made by the Government of India for Tibet and it would be extremely unfair on my part if I were to hold it back. I could hardly expect fair and generous treatment from other provinces if I were to treat another neighbouring country in that manner. As regards export of cloth to China, I really do not know how much has been exported and nobody can say that. I know that a big smuggling in trade was going on between India and China and it took all the efforts of the Government of India to be able to find out, to unearth only a little portion of it. Lastly, Sir, control has been referred to. The answer is the strengthening of the Enforcement Branch which at the present moment we are in the process of doing. It is absolutely not possible to control black-marketing or hoarding by any fiat; you have got to have an organisation for the purpose and up till now we are in the throes of creating an organisation for enforcement and we hope that things from that point of view will be very much better.

I again repudiate the charges made against the Food Committees. It is not a fact that the Food Committees have been packed by interested people or party people or packed by the Muslim League. I have asked for representatives of all organisations; and whatever honourable members might say here or in any other place, the various Chambers of Commerce have representatives of their organisations including the Hindu Mahasabha, on these Food Committees. But certainly those persons have entered the Food Committees and are working it in a proper spirit who are anxious to serve the people. If the spirit of the Muslim League has inspired their representatives to place their services at the disposal of the people and to look after the interests of the people, so much the better. I think that the organisation is developing on proper lines, otherwise Mr. Lalit Chandra Das would not have referred to the Muslim League having captured various Food Committees. Today I find there are some organisations such as the Communist organisation, the Janarakhsha Samiti, and some ladies organisations. All these organisations are taking part in the proper distribution by these commodities. So why should you condemn them for doing so? I think they deserve our thanks and support. I like all men of good-will to take this opportunity by the forelock and do their best to serve the people of Bengal.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, may I speak on this motion?

Mr. PRESIDENT: Do you want to continue the debate on this?

Rai Bahadur KESHAB CHANDRA BANERJEE: Yes, Sir.

Mr. PRESIDENT: All right.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, I congratulate Mr. Nur Ahmed on bringing this important motion before the House for discussion. He has a peculiar knack of choosing non-coutroversial subjects and I hope the motion will find unanimous acceptance in the House. It is agreed on all hands that Bengal has fallen upon evil days. Last year we had a food famine of an unprecedented character which has been replaced by a cloth famine this year. Whither are we drifting? It cannot be denied that the war conditions have brought about the present situation. I am afraid Mr. Lalit Chandra Das and the Hon'ble Minister who has just spoken have forestalled me. I was going to put forward the same arguments. The Hon'ble Minister has given an assurance that he would move the Government of India to increase the quota for Bengal. But may we know whether the Government of India was moved previously on the subject? (The Hon'ble Mr. H. S. SUHRAWARDY: Yes.) Then why is it that the Central Government is consistently turning a deaf ear to the requests of the Bengal Government? (VOICE FROM THE TREASURY BENCH: Because it is Bengal.) Does the Hon'ble Minister think that he is unable to induce the Government of India to increase the quota for Bengal? (Mr. HARIDAS MAJUMDAR: Government of India have no faith in this Ministry.) If he really thinks so, may I ask whether he along with his colleagues is prepared to resign and seek fresh election on this issue? Sir Azizul Haque and the Food Member of the Government of India, Sir Jawala Prasad Srivastava, have openly declared on several occasions that Bengal has got more than her quota of 10 yards—something like 13·9 yards—which means that she has been given 3·9 yards in excess of her allotment. (The Hon'ble Mr. H. S. SUHRAWARDY: Don't you believe the Marwari Chamber of Commerce?) I have nothing to do with the Marwari Chamber of Commerce. I am prepared to accept the statement of the Hon'ble Minister if he assures us that he will be successful in getting the quota increased from 10 to 18 yards as has been claimed by Mr. Nur Ahmed.

Sir, I do not know——

The Hon'ble Mr. H. S. SUHRAWARDY: Don't you believe the Marwari Chamber of Commerce? You may not believe me.

Mr. SHRISH CHANDRA CHAKRAVERTI: They are worse than you.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, I have nothing to do with the Marwari Chamber of Commerce. I take the Hon'ble Minister's word as gospel truth. If he gives us an assurance that he would sincerely try to increase the yardage from 10 to 18 as has been demanded in this motion, then we would be satisfied.

Now, Sir, it has been pointed out that cloth shortage is due to the influx of a large number of people to this Province from outside including, the Burma evacuees, and the military personnel. We are told that cloth has also been exported to Assam, China, Tibet and to countries outside the borders of India. Sir, this is a matter over which apparently the Bengal Government has no control. If the Hon'ble Minister really thinks that cloth is being surreptitiously removed from this Province for sale in the black-markets outside, are we to understand that the Bengal Government is powerless to stop this pilfering and corruption which has been going on for a long time? The Hon'ble Minister could not satisfy us as to whether the quota received from the India Government was exactly on the 10 yards basis or 13·9 yards basis. There is a regular duel going on between the local Government and the Central Government. What is then the remedy? If the Hon'ble Minister does not succeed in his attempt, what would be our

position? Will the people of this Province go on without cloth? Some sort of remedy must be found for it. It will not do for the Hon'ble Minister to say that he has done his best and that his efforts have proved unavailing. If in spite of all this the Central Government turns down the proposal of the Bengal Government, then is the Hon'ble Mr. Suhrawardy prepared to resign his office by way of protest and seek re-election on this issue?

With these words, I support the motion.

Mr. NUR AHMED: Sir, in reply I wish to say a few words. I thank the honourable members for the support which they have given to my motion and also to the Hon'ble Minister who has assured us that he would forward the proceedings of this motion with strong recommendation to the proper authorities.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I wonder if I should take seriously the remarks regarding resignation. In the spirit in which it is uttered, perhaps I would take it if I were satisfied that the honourable member or his party opposite would do better. At the same time, the matter is far too serious for levity. I consider the position to be extremely serious and I do not think, Sir, that these extraneous political considerations should take the field. Sir, I have represented to the Government of India time and again and so have my officers that the quota that was allotted to the Government of Bengal not by the Government of India but by the Textile Control Board was unfair to Bengal. The Government of India has tied its own hands by giving extraordinary powers to that Board which the Textile Commissioner himself cannot differ from. He has got to refer the matter to the Government of India, although the Government of India cannot itself differ from that Board until it has consulted the Chairman. I take it, Sir, that this process is bound to be a long process, but I think this will bear fruit. Our representations are bound to bear fruit, because, as I have pointed out, Mr. Vellodi has given an indication that the representations made by the various Governments on this point who have suffered by these miserable allocations are likely to influence the Government of India into altering its decision.

Sir, I would hate to consider the idea that a duel is going on between the Government of Bengal and the Government of India. If there were a duel, the Government of India will always win, because they have the power to do so, and we are a subordinate Government. I know that the public like a fight, and the Press also likes it; but I do not want to carry on a duel. I take my stand on justice and fairness and on the just claims of the people of Bengal. I placed the facts before the Government of India, and I claimed that the Government of India shall give us justice. I do not want to create an atmosphere of acrimony, because I feel certain that if such an atmosphere were created it would not be for the welfare of the people of Bengal. Therefore, let us drop that idea for the time being if we really want the welfare of the people. I am glad to be able to say that I have received a telegram from the Hon'ble the Commerce Member, Sir Azizul Haque that he is making special effort to send 3,000 bales of cloth to Bengal as an *ad hoc* contribution. The quantity is not much, and I think that when we actually need about 50,000 bales—and the present allotment of 10 yards basis is 34,000 bales—3,000 bales are not much; but I take it to be an indication of the goodwill of the Government of India, and in that view I wish to thank him on behalf of the Government.

Mr. PRESIDENT: Order, order. The question before the House is: that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to make a strong representation to the Government of India to allot 18 yards of cloth per head of the population of Bengal as has been allotted in the Punjab, Bombay and Delhi.

(The motion was agreed to.)

Rai Bahadur KESHAB CHANDRA BANERJEE: Mr. President, Sir, I beg to move: that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council with a request to convey to His Excellency the Viceroy that in the opinion of this Council the much-needed Dacca-Aricha Railway project should be taken up in hand and the necessary constructions completed without further delay.

Sir, the Dacca-Aricha Railway project is as old as the days of Adam and Eve. It is for nearly half a century that the question has been agitating the public mind. I have been fighting for this railway for over 30 years along with the local bodies and Associations of Dacca. It is difficult for me today to trace the origin of the scheme because I have not as yet been able to find out the necessary references and if I could get a little more time, I would be in a position to give more facts and figures regarding the scheme. Sir, the question of a Railway between Dacca and Aricha formed among others the subject-matter of Address presented to successive Viceroys, Lieutenant-Governors and Governors of Bengal who visited Dacca in the past, and on each occasion we had sympathetic replies from them; but unfortunately the scheme did not take a definite shape until after the year 1923 when so far as my recollection goes the question was brought forward by Mr. K. C. Neogy in the form of a resolution in the Indian Legislative Assembly. Then, Sir, after a few years, Sir Abdul Halim Ghuznavi, a member of the Central Legislature, again raised the question by a cut motion on the Railway Budget grant on the 24th February, 1930. I may mention in this connection that the project had already been sanctioned by the authorities of the Government of India and the Railway Board in 1929-30. Sir Abdul Halim Ghuznavi tried to elicit information by putting a question to Mr. Parsons on 1st February, 1928, who was then connected with the Railway Board. The question was as follows: "Will the Government be pleased to state if it is a fact that the Dacca-Aricha Railway scheme will be kept in abeyance now? If so, will the Government please state the reasons therefor and also when they propose to take it up?" Mr. Parsons replied saying that estimates had just been received from the Agent, Eastern Bengal Railway, and were under examination of the Railway Board and that Government had no intention of keeping the scheme in abeyance if the results of the survey were satisfactory. I may inform the House that the result of the survey was satisfactory. On the 4th of September, 1928, in answer to another question put by the same member, Mr. Parsons said that the Railway Board had considered the report and estimates for the Dacca-Aricha Railway and the Government of India had addressed the Secretary of State on the subject.

Sir, again on the 28th of January, 1929, in reply to an interpellation by Sir Abdul Halim Ghuznavi, Mr. Parsons said that the project had been sanctioned by the Secretary of State and it was hoped to provide funds for the inception of the construction next year, that is, in the year 1930. Then, Sir, in the Railway Board's Administration Report for the year 1928-29, discussing the Dacca-Aricha Railway scheme it was stated—I am quoting an extract from the report:—"The Dacca-Aricha Railway.....the construction of a broadgauge line, about 64 miles in length from Rajbari to Narainganj, including a wagon ferry across the Padma river between Goalundo and Aricha, was sanctioned in January, 1929. The line will provide railway communication to the large tract of country in the Dacca district situated between Aricha on the left bank of Padma river and Dacca. The present means of transport in the area traversed by the Railway is mainly by water. The time taken for the railway and the river journey between Calcutta and Dacca is about 19 hours."

That is what the report says. Sir, the distance between Calcutta and Goalundo is 154 miles and the distance between Goalundo and Narayanganj is about 110 miles. You know, Sir, from your personal knowledge that the speed of the Dacca Mail is a little more than that of a fast bullock cart and

even the Railway Board themselves admit that it takes 19 hours to cover a distance of 260 miles from Calcutta to Dacca. This is what they say in their report; and they also say that after construction of this line, 19 hours will be reduced to 12. But it is surprising that in spite of this admission Government will not give us this railway. Sir, I may mention in passing that after the Indian Legislative Assembly had sanctioned the project and it had finally sanctioned by the Secretary of State, the land acquisition proceedings were started. First of all, there was a preliminary traffic survey and then lands were acquired and station sites selected. There was a good deal of correspondence between the Railway Board and the Government of Bengal. Sir, I am afraid I shall be unable to finish my speech. The time is up and with your permission I wish to conclude on the next day that may be fixed for the discussion of such motions.

Mr. PRESIDENT: Yes. Before we adjourn today I would just like to point out that the Hon'ble Khan Bahadur Muazzamuddin Hosain has given notice that the Bengal Non-Agricultural Tenancy Amendment Bill, 1945, be taken into consideration and passed, as settled in the Council. Now, as this Bill is not of a controversial nature, I fix 11 a.m. on Saturday, the 24th, as the last date for receiving notices of amendments——

Mr. LALIT CHANDRA DAS and Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, it is a controversial subject——

Mr. PRESIDENT: The present notice is only with regard to the motion that the Bill be taken into consideration and to that motion there can be only two classes of amendments—one for circulation and the other for sending it to Select Committee. I do not think it will require much time.

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, the main difficulty——

Mr. PRESIDENT: Let me finish, Rai Bahadur. I am suggesting that notice of amendments to the clauses of the Bill should be sent by 11 a.m. on Tuesday, the 27th March.

Mr. LALIT CHANDRA DAS: Sir, 11 a.m. is too early, kindly make it 1 p.m.

Mr. PRESIDENT: There is no harm in making it 1 p.m.

Mr. HUMAYUN KABIR: In giving notice of Select Committee motions, the consent of the members whose names will be on the Select Committee will have to be taken and it will be difficult to get the consent before that time.

Mr. PRESIDENT: For your convenience, the copies of the Bills may be circulated to the members in the Chamber. I think that will save much time.

Mr. HUMAYUN KABIR: Sir, 11 o'clock is rather an inconvenient time. We can send amendments for the clauses by 3 o'clock, because clauses cannot obviously be taken up on that day.

Mr. PRESIDENT: I am told by the Secretary that can be done. So far as notices of amendments to clauses are concerned, up to 3 o'clock on Tuesday, the 27th.

Mr. LALIT CHANDRA DAS: Let it be on Thursday.

Mr. PRESIDENT: That will mean too much loss of time. Well, I may suggest that as regards the amendment for taking the Bill into consideration 11 o'clock or 12 o'clock on the same day.

Mr. LALIT CHANDRA DAS: Not on the same day, Sir. There are many stages, circulation motion for sending the Bill for public opinion, Select Committee, etc. So we want another day.

Mr. PRESIDENT: Then, for the first motion amendments will be received up to 12 o'clock on Tuesday, the 27th March; and as regards the amendments to the clauses of the Bill 3 o'clock on the same day.

Mr. NAGENDRA NATH MOHOLANOBISH: Sir, instead of 12 o'clock, will you please make it 1-30 p.m. so that we may bring the amendments with us at the time of sitting of the Council.

Mr. PRESIDENT: That will not be possible, because those amendments will have to be typed and printed and circulated to the members.

The House stands adjourned till 1-30 p.m. on Tuesday, the 27th March, 1945.

Adjournment.

The Council was then adjourned till 1-30 p.m. on Tuesday, the 27th March, 1945.

Members Absent.

The following members were absent from the meeting held on the 23rd March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. K. Baksh.
(3) Mr. K. K. Dutta.
(4) Khan Bahadur A. Gofran.
(5) Mr. J. S. Graham.
(6) Mr. M. R. Jaipuria.
(7) Maulana Muhammad Akrum Khan.
(8) Mr. W. B. G. Laidlaw.
(9) Khan Sahib Subidali Mollah.
(10) Mr. N. N. Mookerjee.
(11) Mr. B. C. Mukherjee.
(12) Mr. R. S. Purssell.
(13) Dr. K. S. Ray.
(14) Mr. B. K. Roy Chowdhury.
(15) Mr. S. N. Sanyal.
(16) Mr. Yakub H. S. Sattar.
(17) Mr. T. B. Nimmo.

BGP-45/6-3375A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 21.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 27th March, 1945, at 1-30 p.m., being the twenty-first day of the First Session of 1945, pursuant to section 62(*2*)(*a*) of the Government of India Act, 1935.

Mr President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Obituary Reference.

Mr. PRESIDENT: Honourable members of the House, it is with a deep sense of regret that I have to announce the untimely demise of Sir Fazlur Rahman. This melancholy incident took place on Saturday last at Jalpaiguri. The late Sir Fazlur Rahman used to be a member of the Legislative Council from 1930-34 under the Montagu-Chelmsford Reforms and he was recently elected unopposed a member of the Bengal Legislative Assembly. An erudite scholar himself, the late Sir Fazlur Rahman was long associated with education and dissemination of knowledge in this country. He was for several years a Professor of the Aligarh University and then Provost of the Dacca Muslim Hall; afterwards for one term he was Vice-Chancellor of the Dacca University, a position which he filled with great distinction for two years when he resigned that appointment for accepting membership of the Federal Public Service Commission. There also he fulfilled the expectations of those who selected him. His services were recognised by the conferment of Knighthood by His Majesty the King-Emperor in 1942. In politics, the late Sir Fazlur Rahman never allowed himself to be carried away by passions of party politics. He had a very balanced judgment, an attractive personality and charming manners. His demise is not only a loss to the community to which he belonged, but it is an irreparable loss to the entire cultured society of this country. By his death the Chair has been deprived of an old and intimate friend and a valued colleague whose memory he will cherish with respect and affection.

I request you, gentlemen, to rise in your seats by way of respect to the memory of the deceased.

I take it that it is the desire of the House that a message of condolence should be sent to the members of the bereaved family.

Several HONOURABLE MEMBERS: Yes, Sir.

Mr. PRESIDENT: Thank you.

QUESTIONS AND ANSWERS

Epidemic of malaria.

71. Mr. SHRISH CHANDRA CHAKRAVARTI: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) district by district, where malaria has been raging in an epidemic form;

(*b*) whether it is a fact that in Rudranagar Charitable Dispensary within Murari and Nalhati thanas in Rangpur subdivision in Birbhum district, an amount of quinine sufficient for 40 persons only is available for distribution among 150 men every alternate day; and

(*c*) whether almost similar state of affairs prevail in Chandpur and Barisal for want of quinine?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) Malaria appeared in epidemic form in October, November and December, in the districts of Burdwan, Birbhum, Midnapore, 24-Parganas, Jessore, Rajshahi, Rangpur, Dinajpur, Pabna, Malda, Bogra, Dacca, Faridpur, Bakarganj, Murshidabad, Tippera, Chittagong, and a part of Hooghly. Since January, the situation has improved in almost all the districts.

(*b*) and (*c*) No.

Release of the security prisoner Sj. Gopal Chandra Sen.

72. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether Sj. Gopal Chandra Sen of Barisal is a security prisoner, and whether he has been transferred to the Ranchi Indian Mental Hospital, Kanke? In what class was he put in jail?

(*b*) Are all the facilities in respect of allowances and comfort, granted to him while he was in jail, available in the Mental Hospital, for this prisoner?

(*c*) How is he now in the Mental Hospital? Is it a fact that he shows no deficiency in understanding or reason? If so, why is he detained there?

(*d*) Do the Government propose to release him? If not, why not?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): There is no security prisoner of the name of Babu Gopal Chandra Sen.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please tell us, if there is any person of a similar name, who has been transferred to the Ranchi Indian Mental Hospital from a Bengal jail?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no security prisoner of that name. There is, however, one security prisoner named Nani Gopal Sen, who has been transferred from the Midnapore Central Jail to the Indian Mental Hospital, Ranchi, for the treatment of insanity on the 9th January, 1945. We will enquire of the hospital authorities about the mental condition of the prisoner; if the honourable member would please put a question we should be prepared to ascertain this for him.

Appointment of Special Officers in the Rationing Department.

73. Khan Bahadur NURUL AMIN: Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state—

(*a*) the number of Special Officers in the Establishment Section under the Controller of Rationing, Calcutta;

(*b*) the number of Hindus and Muslims amongst these officers; and

(*c*) whether the Communal Ratio Rules have been observed in appointing these officers; if not, why not?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Originally one.

Subsequently the designation of the Chief Inspector was changed to that of Special Officer. Three additional posts of Special Officers have been recently sanctioned in connection with the reorganisation of the section.

(*b*) The two officers appointed as Special Officers in the first instance are Hindus. They both hold permanent posts in Government service, and are employed on deputation in the Rationing Department.

Out of the three posts recently sanctioned, it has been decided to fill up one by promotion of the seniormost Deputy Chief Inspector who is a Hindu. He has not yet joined.

The other two posts have been filled up by appointment of two Rationing Officers, one of whom is a Hindu and the other a Muslim.

(*c*) The answer is in the affirmative.

Classes of ration shops in Calcutta.

74. Mr. HAMIDUL HUQ CHOWDHURY: Will the Hou'ble Minister in charge of the Civil Supplies Department be pleased to state—

(*a*) how many classes or grades of ration shops are being run in the City of Calcutta; and

(*b*) in what respect are they different from each other in the matter of quality and varieties of articles that are distributed?

Mr. K. C. ROY CHOWDHURY, Parliamentary Secretary (on behalf of the Hon'ble Mr. H. S. Suhrawardy): (*a*) Ration shops in the City of Calcutta are of three main classes, viz.—

(*i*) Appointed Retailers;

(*ii*) Government Stores; and

(*iii*) Employers' shops.

Government Stores again fall into three categories, viz.—

(1) Government Stores for members of the public;

(2) Government Employees' Stores for employees of certain ranks in Police Department; and

(3) Government Employees' Stores for employees of certain ranks in departments other than the Police.

(*b*) There is no difference in the quality of articles supplied from the ration shops of different classes.

At all Government Stores, *dal* when available, is sold. At Government Employees' Stores mustard oil is also sold and at such Stores meant for the Police, butter and *ghee* are sold in addition.

Dal, mustard oil, butter and *ghee* are all unrationed articles. Appointed Retailers also sell them when they find it convenient and can obtain supplies.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Government satisfied with regard to the distribution of articles like ghee and butter that are essential for a particular section of the people?

Mr. K. C. ROY CHOWDHURY: I suppose so—Government are satisfied.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Government aware that on account of Government trying to acquire a large stock of these articles the public portion of these articles is being seriously encroached upon?

Mr. K. C. ROY CHOWDHURY: I will make enquiry about it.

Mr. BIREN ROY: With regard to Government stores, do the Government employ anybody to check whether the mustard oil and *ghee* sold are adulterated or not?

Mr. K. C. ROY CHOWDHURY: I think there are inspectors for checking the quality.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please consider the desirability of stopping the discrimination in favour of a particular section of the population against the other section, in the city?

Mr. K. C. ROY CHOWDHURY: I will make enquiry into the matter.

Mr. BIREN ROY: The Parliamentary Secretary just now said that there are inspectors to check the adulterated articles, but will he be pleased to say whether in the case of Government shops in Calcutta adulterated articles are checked and whether Government would allow the Public Health Department of the Corporation of Calcutta to check to find out whether they are adulterated or not.

Mr. K. C. ROY CHOWDHURY: I want notice.

Mr. PRESIDENT: Questions over.

The Bengal Non-Agricultural Tenancy (Temporary Provisions) Amendment Bill, 1945.

Mr. PRESIDENT: The House will now take up the Bengal Non-Agricultural Tenancy (Temporary Provisions) Amendment Bill, 1945.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I beg to move that the Non-Agricultural Tenancy (Temporary Provisions) Bill, 1945, be taken into consideration.

Sir, this is a very simple Bill. Its object is to extend the life of the original Bill in order to enable the Government to get through the comprehensive Non-Agricultural Tenancy Bill, which has been introduced in the Lower House. The only new thing incorporated in this Bill is to give protection to agricultural tenants within municipal areas, who have used their lands for non-agricultural purposes, as such tenants in certain areas are being ejected by the landlords whenever they find that they are going to utilise the land for residential or other non-agricultural purposes. This is the only new thing incorporated in the Bill. I think it is a simple Bill and I hope it will be accepted by the House and we may go on to consider it, clause by clause.

Mr. PRESIDENT: Motion moved: that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1945, be taken into consideration.

Mr. LALIT CHANDRA DAS: Sir, today has been fixed for the submission of amendments—I also submitted my amendments.

Mr. PRESIDENT: Yes; with regard to the consideration motion, three amendments have been tabled: one standing in the name of Mr. Nagendra Nath Moholanabish and two in the name of Rai Bahadur Keshab Chandra Banerjee. With regard to the amendment of Rai Bahadur Keshab Chandra Banerjee for sending this Bill to a Select Committee,—I do not see Rai Bahadur here—he has not put in the name of the member in charge of the Department concerned which should have been done according to our rules.

Mr. SHRISH CHANDRA CHAKRAVERTI: That can be amended now. Are you going to take up the amendments just now?

Mr. PRESIDENT: Not just now.

Mr. LALIT CHANDRA DAS: But, Sir, you fixed today upto 3 p.m. for giving notices of amendments with regard to consideration of the Bill, clause by clause, and so we are submitting the amendments by 3 p.m., today.

Mr. MESBAHUDDIN AHMED: It is not yet 3 o'clock.

Mr. LALIT CHANDRA DAS: Sir, consideration of the clauses of the Bill cannot proceed today.

Mr. PRESIDENT: That is not my intention, either. But I do not find Mr. Moholanabish, who had tabled an amendment to the motion for taking the Bill into consideration.

Mr. LALIT CHANDRA DAS: He has submitted his amendments——

Mr. PRESIDENT: Order, order. It was settled definitely the other day that the amendments relating to the motion for consideration of the Bill would be taken up today. Now, Mr. Moholanabish is not here. However, if any honourable member wants to speak on the motion just now placed before the House by the Hon'ble Minister for Agricultural, he may do so.

Mr. LALIT CHANDRA DAS: If there is any illegality in this, we hope, we would be permitted to refer to that, when the Bill would be taken up, clause by clause.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, after hearing the Hon'ble the Agriculture Minister, we thought that it was a simple Bill; but I find that there are some controversial matters so far, at any rate, as the definition of lands in the municipal areas is concerned. The Hon'ble Minister said that he was bringing in a comprehensive Bill in the other House and that it will be passed after due consideration. If that is the fact, then why introduce this new definition when only extension of life is sought and specially when the Bill is working for the benefit of those persons for whom it is intended. So there is a good deal of difference between the Statement of Objects and Reasons and the actual provisions of this amending Bill. I hope he would consider his view-point further.

Mr. LALIT CHANDRA DAS: Sir, may I add one thing? After all, it is an amending Bill and it should confine itself to the provisions of the original Act, and if any extraneous matter is introduced at this stage, that would be out of order. Now, Sir, the question of definition regarding lands in the municipal areas has been introduced on the ground that some landlords are trying to eject the tenants. This is being introduced for the first time and it was not in the original Act. It would be introducing a new matter and being a new matter it cannot be the subject-matter of an amending Bill, and therefore, Sir, I should say that so far as that provision is concerned, namely, the application of the provisions of this amending Bill to the municipal areas, it is illegal and *ultra vires*. With these words, Sir, I reserve my further arguments for the time when the Bill will be taken up, clause by clause.

Mr. SHRISH CHANDRA CHAKRAVERTI: Sir, from what my colleague has just now said, it appears that it is a matter of your ruling. In that case, we must invite your ruling.

Mr. PRESIDENT: I am sure my friend Mr. Das, who is an old Parliamentarian, knows it very well that by an amending Bill any Act may be amended and the scope of the amending Bill is never limited to the scope of the Act itself. He, therefore, did not raise that question as a point of order.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: As regards Mr. Chakraverty's objection, I am afraid he has not followed the real object of this temporary provisions Bill. Its real object is to stop the ejectment of non-agricultural tenants before the comprehensive Bill is passed. This temporary provision Bill is introduced to extend the time so that it may give protection to the non-agricultural tenants until the comprehensive Bill is passed. But the temporary provisions Bill will expire in the month of May next, and so by this Bill we simply propose to extend the operation of this Bill so that the people may not be ejected in the meantime. The object of our including agricultural holdings in municipal areas is also to give protection to those who have agricultural lands in these areas, but are utilising these for non-agricultural purpose. It is quite in consonance with the real object of the Bill. Therefore, I do not think that the objection is at all reasonable.

Mr. PRESIDENT: Order, order. The question before the House is: that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Amendment Bill, 1945, be taken into consideration.

(The motion was agreed to.)

Mr. PRESIDENT: About the next motion, I find that there are several amendments and some of them may require previous sanction of the Governor. Therefore, I am afraid, they cannot be taken up tomorrow. They may be taken up on Monday next.

Mr. LALIT CHANDRA DAS: Sir, Monday is the Easter Monday, and that day is a holiday.

Mr. PRESIDENT: No, I understand that Monday is not a holiday.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I shall be out on Monday and so kindly fix it for Tuesday.

Mr. PRESIDENT: I have no objection. If the Government are not ready, it will cause delay, for some of the amendments at least will have to be sent for previous sanction, and His Excellency is not in Calcutta at the present moment. However, we take up consideration of the Bill, clause by clause, on Tuesday next. I think that is agreed.

Bengal Legislature (Corrupt Practices and Election Enquiries) Bill, 1945.

Mr. PRESIDENT: Next Bill: Sir Nazimuddin. But I do not find him here.

Mr. MESBAHUDDIN AHMAD: He is just now absent, but probably he will be here presently, Sir. If, however, he cannot come in time, the matter may be taken up on Thursday next.

Mr. PRESIDENT: That is never the practice, I may tell the Chief Whip. When Government prepare the Order Paper, it is their responsibility to see that that is acted upon. Now, can any other Hon'ble Minister take up the Bill on Sir Nazimuddin's behalf?

Mr. MESBAHUDDIN AHMAD: You know, Sir, that no other Minister can deal with a Bill except him, who moved the first motion or who introduced the Bill.

Mr. PRESIDENT: In that case, this matter ought to have been withdrawn from the Order Paper of the day.

Mr. MESBAHUDDIN AHMAD: We are very sorry, Sir. It may be taken up next day.

Mr. PRESIDENT: May I hear the Hon'ble the Leader of the House?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I was under the impression that Sir Nazimuddin would come in time and I was given no instructions in the matter.

Mr. PRESIDENT: But what is your suggestion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: do not see, Sir, what else I can suggest, but that the matter may be postponed till the next day.

Mr. PRESIDENT: I must say that it is a very unsatisfactory arrangement, because it is the Government who prepare the Order Paper and it is their responsibility to see that that business is proceeded with. If, however, they cannot proceed with a matter on the day for which it is fixed, they should inform the Chair beforehand or withdraw the matter from the Order Paper. I may mention that if a non-official member in such a case were not present, he would have lost the chance of moving the motion altogether.

Mr. MESBAHUDDIN AHMAD: Sir, there is no business tomorrow; perhaps it can be taken up tomorrow.

Mr. PRESIDENT: The House stands adjourned till 1-30 p.m., on Thursday, next.

Adjournment.

The Council then adjourned till 1-30 p.m., on Thursday, the 29th March, 1945.

Members absent.

The following members were absent from the meeting held on the 27th March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. S. Ahmed.
(3) Mr. K. Baksh.
(4) Rai Bahadur K. C. Banerjee.
(5) Mr. Moazzemali Chowdhury.
(6) Mr. H. Huq Chowdhury.
(7) Mr. B. C. Dutta.
(8) Khan Bahadur A. Gofran.
(9) Mr. J. S. Graham.
(10) Mr. M. R. Jaipuria.
(11) Maulana Mohd. Akrum Khan.
(12) Mr. N. N. Moholanabish.
(13) Khan Sahib Subidali Mollah.
(14) Khan Bahadur M. A. Momin.
(15) Mr. N. N. Mookerjee.
(16) Mr. B. C. Mukherjee.
(17) Mr. R. S. Purssell.
(18) Dr. K. S. Ray.
(19) Mr. B. K. Roy Chowdhury.

BGP-45/6-3376A-760

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1945—No. 22.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 29th March, 1945, at 1-30 p.m., being the twenty-second day of the First Session of 1945, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Obituary Reference.

Mr. NAGENDRA NATH MOHOLANABISH: Sir, we all have learnt with great regret that one of our colleagues, Mr. Yakub H. S. Sattar, has died and we must necessarily adjourn the business of the House as a mark of respect to his memory. But before the resolution on the subject is moved, I may be permitted to mention about my adjournment motion regarding threatened suppression of the Corporation of Calcutta for which a date has been fixed by the Chair——

Mr. PRESIDENT: Will you please wait and mention the matter immediately after the condolence——

Mr. NAGENDRA NATH MOHOLANABISH: Sir, I beg leave of the House to move the resolution of condolence myself——

Mr. PRESIDENT: It is usually done by the Leader of the House in the case of the death of a sitting member...(VOICES from the Opposition: But there is no Leader of the House today.)

Mr. NAGENDRA NATH MOHOLANABISH: But, Sir, any member may move a resolution of condolence, and I may be permitted to move——

Khan Sahib Maulvi WAHIDUZZAMAN: Sir, they are making capital out of the death of one of our colleagues——

Mr. PRESIDENT: Mr. Moholanabish, I hope you realise the solemnity of the occasion. We should not depart from the convention that when a sitting member of the House passes away, the resolution is moved by the Leader of the House and the members associate themselves with the resolution: that has been the invariable convention.

Mr. SACHINDRA NARAYAN SANYAL: But does he continue to be the Leader of the House? He has ceased to be the Leader of the House.

Mr. PRESIDENT: I am quite aware of the fact that certain incidents have happened elsewhere; but the proceedings of this House have got nothing to do with them. We are not supposed to refer to them nor are we supposed to take any notice of them till the matter is brought to the notice of the Chair formally by a Gazette notification. You know the rules that when a Ministry resigns, the resignation is also gazetted similar to the notification usual on the occasion of its appointment and the copy of the notification is communicated to the Chair.

Mr. SACHINDRA NARAYAN SANYAL: If the Ministry does not resign?

Mr. PRESIDENT: I have stated what the usual practice is and I hope that you would not try to create a new precedent on an occasion like this. Yes, Khan Bahadur.

Condolence Resolution.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, it is my melancholy duty to rise to move a resolution condoling the death of one of our sitting members, Haji Yakub Sattar, who died yesterday evening. Sir, it is very regrettable that we have to lose so many of our sitting members in such quick succession; but we must bow down to the Divine Will. Haji Sahib came of a rich business family and on account of his amiable disposition and jovial temperament with a heart full of sympathies for the suffering humanity, he was loved by all. May his soul rest in peace!

I would now like to read the resolution and I hope it will be accepted in the House unanimously:

This Council places on record its deep sense of sorrow at the sad demise of one of its sitting members Yakub Haji Abdus Sattar, who was a man of amiable disposition and jovial temperament with a heart full of sympathies for the suffering humanity.

Mr. KAMINI KUMAR DUTTA: Sir, I associate myself with the resolution of condolence moved by Khan Bahadur Saiyed Muazzamuddin Hosain, the former Leader of the House. It is really true, Sir, that death has been taking a heavy toll from this House. Haji Sahib came from a well-known business family of Calcutta. He was very amiable in his manners and his conduct towards all his colleagues was courteous. I, on behalf of my Party and on behalf of the entire Opposition, beg to associate myself with the resolution moved by Khan Bahadur Saiyed Muazzamuddin Hosain.

Mr. W. B. C. LAIDLAW: Sir, I associate myself with the resolution. My acquaintance with Mr. Sattar was comparatively short and I admired his pleasant manners and his cheerfulness in his recent affliction. I was extremely sorry to see him looking so ill when the session started, but I thought after a week or so, he was looking a bit better. We mourn his loss and join in a message of condolence to his relations.

Mr. NUR AHMED: Sir, I rise to associate myself with the resolution so ably moved by the Leader of the House. Mr. Sattar comes from a family which has done good service to the cause of humanity. He was a gentleman to the core. He had taken leading part in public and humanitarian activities in Bengal. We never thought that we were losing him so suddenly and unexpectedly. He was a great asset to this House. We greatly mourn his loss and we convey our condolences to the members of the bereaved family.

Mr. PRESIDENT: It is with a heavy heart that the Chair associates itself with the resolution that has been just moved. Haji Yakub Abdus Sattar was a generous-hearted and public-spirited gentleman. He had a big social position and a position in the commercial life of Calcutta. Of late, we have lost several of our sitting members and I greatly regret the loss of another member. I believe it is the desire of the House that a message of condolence should be sent to the members of the bereaved family.

(The condolence resolution was then carried by all the members rising in their places.)

Mr. NAGENDRA NATH MOHOLANABISH: Sir, with regard to the question of the fixing of date of my adjournment motion, I would like to make a few submissions. Sir, I am extremely grateful to you for having accommodated me by fixing the date for discussion of my adjournment motion to suit my convenience; but it is not necessary for me to move this adjournment motion any more, because as a result of yesterday's voting by the majority of the Lower House, the Government has been defeated, and there is no Government now in Bengal constitutionally. The object of my adjournment motion was to censure Government, but since constitutionally there is no Government in office now, I do not propose to move my adjournment motion.

Mr. PRESIDENT: Order, order. The House stands adjourned till 1-30 p.m., on Tuesday.

Adjournment.

The Council then adjourned till 1-30 p.m., on Tuesday, the 3rd April, 1945.*

**Note.*—There were no further meetings and the First Session of 1945 terminated with the prorogation of the Bengal Legislative Council with effect from midnight of the 30th day of March, 1945, *vide* Notification No. 604 A.R., dated the 30th March, 1945, published in an extraordinary issue of the *Calcutta Gazette*, dated the 31st March, 1945.

Members Absent.

The following members were absent from the meeting held on the 29th March, 1945:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. S. Ahmed.
(3) Mr. K. Baksh.
(4) Rai Bahadur K. C. Banerjee.
(5) Mr. H. Huq Chowdhury.
(6) Mr. B. C. Datta.
(7) Khan Bahadur Abdul Gofran.
(8) Mr. J. S. Graham.
(9) Mr. M. R. Jaipuria.
(10) Mr. H. Kabir.
(11) Maulana Mohd. Akrum Khan.
(12) Mr. N. N. Moholanabish.
(13) Khan Sahib Subidali Mollah.
(14) Khan Bahadur M. A. Momin.
(15) Mr. N. N. Mookerjee.
(16) Mr. B. C. Mukherjee.
(17) Mr. R. S. Pursell.
(18) Dr. K. S. Ray.
(19) Mr. B. K. Roy Chowdhury.

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